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THE

# WORKS

OF

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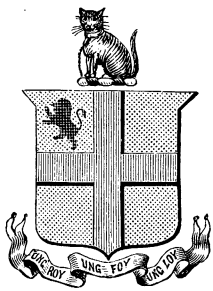
THIRD EDITION.

VOL. IV.

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A

# LETTER

TO

## A MEMBER OF THE NATIONAL ASSEMBLY,

IN

ANSWER TO SOME OBJECTIONS TO HIS
BOOK ON FRENCH AFFAIRS.

1791.



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# LETTER.

SIR,—I had the honor to receive your letter of the 17th of November last, in which, with some exceptions, you are pleased to consider favorably the letter I have written on the affairs of France. I shall ever accept any mark of approbation attended with instruction with more pleasure than general and unqualified praises. The latter can serve only to flatter our vanity; the former, whilst it encourages us to proceed, may help to improve us in our progress.

Some of the errors you point out to me in my printed letter are really such. One only I find to be material. It is corrected in the edition which I take the liberty of sending to you. As to the cavils which may be made on some part of my remarks with regard to the *gradations* in your new Constitution, you observe justly that they do not affect the substance of my objections. Whether there be a round more or less in the ladder of representation by which your workmen ascend from their parochial tyranny to their federal anarchy, when the whole scale is false, appears to me of little or no importance.

I published my thoughts on that Constitution, that my countrymen might be enabled to estimate the wisdom of the plans which were held out to their imitation. I conceived that the true character of those plans would be best collected from the committee appointed to prepare them. I thought that the scheme

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of their building would be better comprehended in the design of the architects than in the execution of the masons. It was not worth my reader's while to occupy himself with the alterations by which bungling practice corrects absurd theory. Such an investigation would be endless: because every day's past experience of impracticability has driven, and every day's future experience will drive, those men to new devices as exceptionable as the old, and which are no otherwise worthy of observation than as they give a daily proof of the delusion of their promises and the falsehood of their professions. Had I followed all these changes, my letter would have been only a gazette of their wanderings, a journal of their march from error to error, through a dry, dreary desert, un guided by the lights of Heaven, or by the contrivance which wisdom has invented to supply their place.

I am unalterably persuaded that the attempt to oppress, degrade, impoverish, confiscate, and extinguish the original gentlemen and landed property of a whole nation cannot be justified under any form it may assume. I am satisfied beyond a doubt, that the project of turning a great empire into a vestry, or into a collection of vestries, and of governing it in the spirit of a parochial administration, is senseless and absurd, in any mode or with any qualifications. I can never be convinced that the scheme of placing the highest powers of the state in churchwardens and constables and other such officers, guided by the prudence of litigious attorneys and Jew brokers, and set in action by shameless women of the lowest condition, by keepers of hotels, taverns, and brothels, by pert apprentices, by clerks, shopboys, hair-dressers, fiddlers, and dancers on the stage,

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(who, in such a commonwealth as yours, will in future overbear, as already they have overborne, the sober incapacity of dull, uninstructed men, of useful, but laborious occupations,) can never be put into any shape that must not be both disgraceful and destructive. The whole of this project, even if it were what it pretends to be, and was not in reality the dominion, through that disgraceful medium, of half a dozen, or perhaps fewer, intriguing politicians, is so mean, so low-minded, so stupid a contrivance, in point of wisdom, as well as so perfectly detestable for its wickedness, that I must always consider the correctives which might make it in any degree practicable to be so many new objections to it.

In that wretched state of things, some are afraid that the authors of your miseries may be led to precipitate their further designs by the hints they may receive from the very arguments used to expose the absurdity of their system, to mark the incongruity of its parts, and its inconsistency with their own principles, — and that your masters may be led to render their schemes more consistent by rendering them more mischievous. Excuse the liberty which your indulgence authorizes me to take, when I observe to you that such apprehensions as these would prevent all exertion of our faculties in this great cause of mankind.

A rash recourse to *force* is not to be justified in a state of real weakness. Such attempts bring on disgrace, and in their failure discountenance and discourage more rational endeavors. But *reason* is to be hazarded, though it may be perverted by craft and sophistry; for reason can suffer no loss nor shame, nor can it impede any useful plan of future policy.

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In the unavoidable uncertainty as to the effect, which attends on every measure of human prudence, nothing seems a surer antidote to the poison of fraud than its detection. It is true, the fraud may be swallowed after this discovery, and perhaps even swallowed the more greedily for being a detected fraud. Men sometimes make a point of honor not to be disabused; and they had rather fall into an hundred errors than confess one. But, after all, when neither our principles nor our dispositions, nor, perhaps, our talents, enable us to encounter delusion with delusion, we must use our best reason to those that ought to be reasonable creatures, and to take our chance for the event. We cannot act on these anomalies in the minds of men. I do not conceive that the persons who have contrived these things can be made much the better or the worse for anything which can be said to them. *They* are reason-proof. Here and there, some men, who were at first carried away by wild, good intentions, may be led, when their first fervors are abated, to join in a sober survey of the schemes into which they had been deluded. To those only (and I am sorry to say they are not likely to make a large description) we apply with any hope. I may speak it upon an assurance almost approaching to absolute knowledge, that nothing has been done that has not been contrived from the beginning, even before the States had assembled. *Nulla nova mihi res inopinave surgit.* They are the same men and the same designs that they were from the first, though varied in their appearance. It was the very same animal that at first crawled about in the shape of a caterpillar that you now see rise into the air and expand his wings to the sun.

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Proceeding, therefore, as we are obliged to proceed, — that is, upon an hypothesis that we address rational men, — can false political principles be more effectually exposed than by demonstrating that they lead to consequences directly inconsistent with and subversive of the arrangements grounded upon them? If this kind of demonstration is not permitted, the process of reasoning called *deductio ad absurdum*, which even the severity of geometry does not reject, could not be employed at all in legislative discussions. One of our strongest weapons against folly acting with authority would be lost.

You know, Sir, that even the virtuous efforts of your patriots to prevent the ruin of your country have had this very turn given to them. It has been said here, and in France too, that the reigning usurpers would not have carried their tyranny to such destructive lengths, if they had not been stimulated and provoked to it by the acrimony of your opposition. There is a dilemma to which every opposition to successful iniquity must, in the nature of things, be liable. If you lie still, you are considered as an accomplice in the measures in which you silently acquiesce. If you resist, you are accused of provoking irritable power to new excesses. The conduct of a losing party never appears right: at least, it never can possess the only infallible criterion of wisdom to vulgar judgments, — success.

The indulgence of a sort of undefined hope, an obscure confidence, that some lurking remains of virtue, some degree of shame, might exist in the breasts of the oppressors of France, has been among the causes which have helped to bring on the common ruin of king and people. There is no safety for hon-

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est men, but by believing all possible evil of evil men, and by acting with promptitude, decision, and steadiness on that belief. I well remember, at every epocha of this wonderful history, in every scene of this tragic business, that, when your sophistic usurpers were laying down mischievous principles, and even applying them in direct resolutions, it was the fashion to say that they never intended to execute those declarations in their rigor. This made men careless in their opposition, and remiss in early precaution. By holding out this fallacious hope, the impostors deluded sometimes one description of men, and sometimes another, so that no means of resistance were provided against them, when they came to execute in cruelty what they had planned in fraud.

There are cases in which a man would be ashamed not to have been imposed on. There is a confidence necessary to human intercourse, and without which men are often more injured by their own suspicions than they would be by the perfidy of others. But when men whom we *know* to be wicked impose upon us, we are something worse than dupes. When we know them, their fair pretences become new motives for distrust. There is one case, indeed, in which it would be madness not to give the fullest credit to the most deceitful of men, — that is, when they make declarations of hostility against us.

I find that some persons entertain other hopes, which I confess appear more specious than those by which at first so many were deluded and disarmed. They flatter themselves that the extreme misery brought upon the people by their folly will at last open the eyes of the multitude, if not of their leaders. Much the contrary, I fear. As to the leaders in this

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system of imposture, — you know that cheats and deceivers never can repent. The fraudulent have no resource but in fraud. They have no other goods in their magazine. They have no virtue or wisdom in their minds, to which, in a disappointment concerning the profitable effects of fraud and cunning, they can retreat. The wearing out of an old serves only to put them upon the invention of a new delusion. Unluckily, too, the credulity of dupes is as inexhaustible as the invention of knaves. They never give people possession; but they always keep them in hope. Your state doctors do not so much as pretend that any good whatsoever has hitherto been derived from their operations, or that the public has prospered in any one instance under their management. The nation is sick, very sick, by their medicines. But the charlatan tells them that what is past cannot be helped; — they have taken the draught, and they must wait its operation with patience; — that the first effects, indeed, are unpleasant, but that the very sickness is a proof that the dose is of no sluggish operation; — that sickness is inevitable in all constitutional revolutions; — that the body must pass through pain to ease; — that the prescriber is not an empiric who proceeds by vulgar experience, but one who grounds his practice * on the sure rules of art, which cannot possibly fail. You have read, Sir, the last manifesto, or mountebank's bill, of the National Assembly. You see their presumption in their promises is not lessened by all their failures in the per-

* It is said in the last quackish address of the National Assembly to the people of France, that they have not formed their arrangements upon vulgar practice, but on a theory which cannot fail, — or something to that effect.

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formance. Compare this last address of the Assembly and the present state of your affairs with the early engagements of that body, engagements which, not content with declaring, they solemnly deposed upon oath, — swearing lustily, that, if they were supported, they would make their country glorious and happy; and then judge whether those who can write such things, or those who can bear to read them, are of *themselves* to be brought to any reasonable course of thought or action.

As to the people at large, when once these miserable sheep have broken the fold, and have got themselves loose, not from the restraint, but from the protection, of all the principles of natural authority and legitimate subordination, they become the natural prey of impostors. When they have once tasted of the flattery of knaves, they can no longer endure reason, which appears to them only in the form of censure and reproach. Great distress has never hitherto taught, and whilst the world lasts it never will teach, wise lessons to any part of mankind. Men are as much blinded by the extremes of misery as by the extremes of prosperity. Desperate situations produce desperate councils and desperate measures. The people of France, almost generally, have been taught to look for other resources than those which can be derived from order, frugality, and industry. They are generally armed; and they are made to expect much from the use of arms. *Nihil non arrogant armis.* Besides this, the retrograde order of society has something flattering to the dispositions of mankind. The life of adventurers, gamesters, gypsies, beggars, and robbers is not unpleasant. It requires restraint to keep men from falling into that habit. The shifting

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tides of fear and hope, the flight and pursuit, the peril and escape, the alternate famine and feast of the savage and the thief, after a time, render all course of slow, steady, progressive, unvaried occupation, and the prospect only of a limited mediocrity at the end of long labor, to the last degree tame, languid, and insipid. Those who have been once intoxicated with power, and have derived any kind of emolument from it, even though but for one year, never can willingly abandon it. They may be distressed in the midst of all their power; but they will never look to anything but power for their relief. When did distress ever oblige a prince to abdicate his authority? And what effect will it have upon those who are made to believe themselves a people of princes?

The more active and stirring part of the lower orders having got government and the distribution of plunder into their hands, they will use its resources in each municipality to form a body of adherents. These rulers and their adherents will be strong enough to overpower the discontents of those who have not been able to assert their share of the spoil. The unfortunate adventurers in the cheating lottery of plunder will probably be the least sagacious or the most inactive and irresolute of the gang. If, on disappointment, they should dare to stir, they will soon be suppressed as rebels and mutineers by their brother rebels. Scantily fed for a while with the offal of plunder, they will drop off by degrees; they will be driven out of sight and out of thought; and they will be left to perish obscurely, like rats, in holes and corners.

From the forced repentance of invalid mutineers and disbanded thieves you can hope for no resource. Government itself, which ought to constrain the more

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bold and dexterous of these robbers, is their accomplice. Its arms, its treasures, its all are in their hands. Judicature, which above all things should awe them, is their creature and their instrument. Nothing seems to me to render your internal situation more desperate than this one circumstance of the state of your judicature. Many days are not passed since we have seen a set of men brought forth by your rulers for a most critical function. Your rulers brought forth a set of men, steaming from the sweat and drudgery, and all black with the smoke and soot, of the forge of confiscation and robbery, — *ardentis massæ fuligine lippos*, — a set of men brought forth from the trade of hammering arms of proof, offensive and defensive, in aid of the enterprises, and for the subsequent protection, of housebreakers, murderers, traitors, and malefactors, — men, who had their minds seasoned with theories perfectly conformable to their practice, and who had always laughed at possession and prescription, and defied all the fundamental maxims of jurisprudence. To the horror and stupefaction of all the honest part of this nation, and indeed of all nations who are spectators, we have seen, on the credit of those very practices and principles, and to carry them further into effect, these very men placed on the sacred seat of justice in the capital city of your late kingdom. We see that in future you are to be destroyed with more form and regularity. This is not peace: it is only the introduction of a sort of discipline in their hostility. Their tyranny is complete in their justice; and their *lanterne* is not half so dreadful as their court.

One would think, that, out of common decency, they would have given you men who had not been in the

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habit of trampling upon law and justice in the Assembly, neutral men, or men apparently neutral, for judges, who are to dispose of your lives and fortunes.

Cromwell, when he attempted to legalize his power, and to settle his conquered country in a state of order, did not look for dispensers of justice in the instruments of his usurpation. Quite the contrary. He sought out, with great solicitude and selection, and even from the party most opposite to his designs, men of weight and decorum of character, — men unstained with the violence of the times, and with hands not fouled with confiscation and sacrilege: for he chose an Hale for his chief justice, though he absolutely refused to take his civic oaths, or to make any acknowledgment whatsoever of the legality of his government. Cromwell told this great lawyer, that, since he did not approve his title, all he required of him was to administer, in a manner agreeable to his pure sentiments and unspotted character, that justice without which human society cannot subsist, — that it was not his particular government, but civil order itself, which, as a judge, he wished him to support. Cromwell knew how to separate the institutions expedient to his usurpation from the administration of the public justice of his country. For Cromwell was a man in whom ambition had not wholly suppressed, but only suspended, the sentiments of religion, and the love (as far as it could consist with his designs) of fair and honorable reputation. Accordingly, we are indebted to this act of his for the preservation of our laws, which some senseless assertors of the rights of men were then on the point of entirely erasing, as relics of feudality and barbarism. Besides, he gave, in the appointment of that man, to that age, and to

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all posterity, the most brilliant example of sincere and fervent piety, exact justice, and profound jurisprudence.* But these are not the things in which your philosophic usurpers choose to follow Cromwell.

One would think, that, after an honest and necessary revolution, (if they had a mind that theirs should pass for such,) your masters would have imitated the virtuous policy of those who have been at the head of revolutions of that glorious character. Burnet tells us, that nothing tended to reconcile the English nation to the government of King William so much as the care he took to fill the vacant bishoprics with men who had attracted the public esteem by their learning, eloquence, and piety, and above all, by their known moderation in the state. With you, in your purifying revolution, whom have you chosen to regulate the Church? M. Mirabeau is a fine speaker, and a fine writer, and a fine — a very fine man; but, really, nothing gave more surprise to everybody here than to find him the supreme head of your ecclesiastical affairs. The rest is of course. Your Assembly addresses a manifesto to France, in which they tell the people, with an insulting irony, that they have brought the Church to its primitive condition. In one respect their declaration is undoubtedly true: for they have brought it to a state of poverty and persecution. What can be hoped for after this? Have not men, (if they deserve the name,) under this new hope and head of the Church, been made bishops for no other merit than having acted as instruments of atheists? for no other merit than having thrown the children's bread to dogs? and, in order to gorge the whole gang of usurers,

* See Burnet's Life of Hale.

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peddlers, and itinerant Jew discounters at the corners of streets, starved the poor of their Christian flocks, and their own brother pastors? Have not such men been made bishops to administer in temples in which (if the patriotic donations have not already stripped them of their vessels) the church-wardens ought to take security for the altar plate, and not so much as to trust the chalice in their sacrilegious hands, so long as Jews have assignats on ecclesiastic plunder, to exchange for the silver stolen from churches?

I am told that the very sons of such Jew jobbers have been made bishops: persons not to be suspected of any sort of *Christian* superstition, fit colleagues to the holy prelate of Autun, and bred at the feet of that Gamaliel. We know who it was that drove the money-changers out of the temple. We see, too, who it is that brings them in again. We have in London very respectable persons of the Jewish nation, whom we will keep; but we have of the same tribe others of a very different description, — housebreakers, and receivers of stolen goods, and forgers of paper currency, more than we can conveniently hang. These we can spare to France, to fill the new episcopal thrones: men well versed in swearing; and who will scruple no oath which the fertile genius of any of your reformers can devise.

In matters so ridiculous it is hard to be grave. On a view of their consequences, it is almost inhuman to treat them lightly. To what a state of savage, stupid, servile insensibility must your people be reduced, who can endure such proceedings in their Church, their state, and their judicature, even for a moment! But the deluded people of France are like other madmen, who, to a miracle, bear hunger, and

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thirst, and cold, and confinement, and the chains and lash of their keeper, whilst all the while they support themselves by the imagination that they are generals of armies, prophets, kings, and emperors. As to a change of mind in these men, who consider infamy as honor, degradation as preferment, bondage to low tyrants as liberty, and the practical scorn and contumely of their upstart masters as marks of respect and homage, I look upon it as absolutely impracticable. These madmen, to be cured, must first, like other madmen, be subdued. The sound part of the community, which I believe to be large, but by no means the largest part, has been taken by surprise, and is disjointed, terrified, and disarmed. That sound part of the community must first be put into a better condition, before it can do anything in the way of deliberation or persuasion. This must be an act of power, as well as of wisdom: of power in the hands of firm, determined patriots, who can distinguish the misled from traitors, who will regulate the state (if such should be their fortune) with a discriminating, manly, and provident mercy; men who are purged of the surfeit and indigestion of systems, if ever they have been admitted into the habit of their minds; men who will lay the foundation of a real reform in effacing every vestige of that philosophy which pretends to have made discoveries in the *Terra Australis* of morality; men who will fix the state upon these bases of morals and politics, which are our old and immemorial, and, I hope, will be our eternal possession.

This power, to such men, must come from *without*. It may be given to you in pity: for surely no nation ever called so pathetically on the compassion

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of all its neighbors. It may be given by those neighbors on motives of safety to themselves. Never shall I think any country in Europe to be secure, whilst there is established in the very centre of it a state (if so it may be called) founded on principles of anarchy, and which is in reality a college of armed fanatics, for the propagation of the principles of assassination, robbery, rebellion, fraud, faction, oppression, and impiety. Mahomet, hid, as for a time he was, in the bottom of the sands of Arabia, had his spirit and character been discovered, would have been an object of precaution to provident minds. What if he had erected his fanatic standard for the destruction of the Christian religion *in luce Asiæ*, in the midst of the then noonday splendor of the then civilized world? The princes of Europe, in the beginning of this century, did well not to suffer the monarchy of France to swallow up the others. They ought not now, in my opinion, to suffer all the monarchies and commonwealths to be swallowed up in the gulf of this polluted anarchy. They may be tolerably safe at present, because the comparative power of France for the present is little. But times and occasions make dangers. Intestine troubles may arise in other countries. There is a power always on the watch, qualified and disposed to profit of every conjuncture, to establish its own principles and modes of mischief, wherever it can hope for success. What mercy would these usurpers have on other sovereigns, and on other nations, when they treat their own king with such unparalleled indignities, and so cruelly oppress their own countrymen?

The king of Prussia, in concurrence with us, nobly interfered to save Holland from confusion. The



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same power, joined with the rescued Holland and with Great Britain, has put the Emperor in the possession of the Netherlands, and secured, under that prince, from all arbitrary innovation, the ancient, hereditary Constitution of those provinces. The chamber of Wetzlar has restored the Bishop of Liege, unjustly dispossessed by the rebellion of his subjects. The king of Prussia was bound by no treaty nor alliance of blood, nor had any particular reasons for thinking the Emperor's government would be more mischievous or more oppressive to human nature than that of the Turk; yet, on mere motives of policy, that prince has interposed, with the threat of all his force, to snatch even the Turk from the pounces of the Imperial eagle. If this is done in favor of a barbarous nation, with a barbarous neglect of police, fatal to the human race, — in favor of a nation by principle in eternal enmity with the Christian name, a nation which will not so much as give the salutation of peace (*Salam*) to any of us, nor make any pact with any Christian nation beyond a truce, — if this be done in favor of the Turk, shall it be thought either impolitic or unjust or uncharitable to employ the same power to rescue from captivity a virtuous monarch, (by the courtesy of Europe considered as Most Christian,) who, after an intermission of one hundred and seventy-five years, had called together the States of his kingdom to reform abuses, to establish a free government, and to strengthen his throne, — a monarch who, at the very outset, without force, even without solicitation, had given to his people such a Magna Charta of privileges as never was given by any king to any subjects? Is it to be tamely borne by kings who love their subjects, or by subjects who love their

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kings, that this monarch, in the midst of these gracious acts, was insolently and cruelly torn from his palace by a gang of traitors and assassins, and kept in close prison to this very hour, whilst his royal name and sacred character were used for the total ruin of those whom the laws had appointed him to protect?

The only offence of this unhappy monarch towards his people was his attempt, under a monarchy, to give them a free Constitution. For this, by an example hitherto unheard of in the world, he has been deposed. It might well disgrace sovereigns to take part with a deposed tyrant. It would suppose in them a vicious sympathy. But not to make a common cause with a just prince, dethroned by traitors and rebels, who proscribe, plunder, confiscate, and in every way cruelly oppress their fellow-citizens, in my opinion is to forget what is due to the honor and to the rights of all virtuous and legal government.

I think the king of France to be as much an object both of policy and compassion as the Grand Seignior or his states. I do not conceive that the total annihilation of France (if that could be effected) is a desirable thing to Europe, or even to this its rival nation. Provident patriots did not think it good for Rome that even Carthage should be quite destroyed; and he was a wise Greek, wise for the general Grecian interests, as well as a brave Lacedæmonian enemy and generous conqueror, who did not wish, by the destruction of Athens, to pluck out the other eye of Greece.

However, Sir, what I have here said of the interference of foreign princes is only the opinion of a private individual, who is neither the representative of

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any state nor the organ of any party, but who thinks himself bound to express his own sentiments with freedom and energy in a crisis of such importance to the whole human race.

I am not apprehensive, that, in speaking freely on the subject of the king and queen of France, I shall accelerate (as you fear) the execution of traitorous designs against them. You are of opinion, Sir, that the usurpers may, and that they will, gladly lay hold of any pretext to throw off the very name of a king: assuredly, I do not wish ill to your king; but better for him not to live (he does not reign) than to live the passive instrument of tyranny and usurpation.

I certainly meant to show, to the best of my power, that the existence of such an executive officer in such a system of republic as theirs is absurd in the highest degree. But in demonstrating this, to *them*, at least, I can have made no discovery. They only held out the royal name to catch those Frenchmen to whom the name of king is still venerable. They calculate the duration of that sentiment; and when they find it nearly expiring, they will not trouble themselves with excuses for extinguishing the name, as they have the thing. They used it as a sort of navel-string to nourish their unnatural offspring from the bowels of royalty itself. Now that the monster can purvey for its own subsistence, it will only carry the mark about it, as a token of its having torn the womb it came from. Tyrants seldom want pretexts. Fraud is the ready minister of injustice; and whilst the currency of false pretence and sophistic reasoning was expedient to their designs, they were under no necessity of drawing upon me to furnish them with that coin. But pretexts and sophisms have had their

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day, and have done their work. The usurpation no longer seeks plausibility: it trusts to power.

Nothing that I can say, or that you can say, will hasten them, by a single hour, in the execution of a design which they have long since entertained. In spite of their solemn declarations, their soothing addresses, and the multiplied oaths which they have taken and forced others to take, they will assassinate the king when his name will no longer be necessary to their designs, — but not a moment sooner. They will probably first assassinate the queen, whenever the renewed menace of such an assassination loses its effect upon the anxious mind of an affectionate husband. At present, the advantage which they derive from the daily threats against her life is her only security for preserving it. They keep their sovereign alive for the purpose of exhibiting him, like some wild beast at a fair, — as if they had a Bajazet in a cage. They choose to make monarchy contemptible by exposing it to derision in the person of the most benevolent of their kings.

In my opinion their insolence appears more odious even than their crimes. The horrors of the fifth and sixth of October were less detestable than the festival of the fourteenth of July. There are situations (God forbid I should think that of the 5th and 6th of October one of them!) in which the best men may be confounded with the worst, and in the darkness and confusion, in the press and medley of such extremities, it may not be so easy to discriminate the one from the other. The necessities created even by ill designs have their excuse. They may be forgotten by others, when the guilty themselves do not choose to cherish their recollection, and, by ruminating their

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offences, nourish themselves, through the example of their past, to the perpetration of future crimes. It is in the relaxation of security, it is in the expansion of prosperity, it is in the hour of dilatation of the heart, and of its softening into festivity and pleasure, that the real character of men is discerned. If there is any good in them, it appears then or never. Even wolves and tigers, when gorged with their prey, are safe and gentle. It is at such times that noble minds give all the reins to their good nature. They indulge their genius even to intemperance, in kindness to the afflicted, in generosity to the conquered, — forbearing insults, forgiving injuries, overpaying benefits. Full of dignity themselves, they respect dignity in all, but they feel it sacred in the unhappy. But it is then, and basking in the sunshine of unmerited fortune, that low, sordid, ungenerous, and reptile souls swell with their hoarded poisons; it is then that they display their odious splendor, and shine out in the full lustre of their native villany and baseness. It is in that season that no man of sense or honor can be mistaken for one of them. It was in such a season, for them of political ease and security, though their people were but just emerged from actual famine, and were ready to be plunged into a gulf of penury and beggary, that your philosophic lords chose, with an ostentatious pomp and luxury, to feast an incredible number of idle and thoughtless people, collected with art and pains from all quarters of the world. They constructed a vast amphitheatre in which they raised a species of pillory.* On this pillory they set their lawful king and queen, with an insulting figure

* The pillory (*carcan*) in England is generally made very high like that raised for exposing the king of France.

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over their heads. There they exposed these objects of pity and respect to all good minds to the derision of an unthinking and unprincipled multitude, degenerated even from the versatile tenderness which marks the irregular and capricious feelings of the populace. That their cruel insult might have nothing wanting to complete it, they chose the anniversary of that day in which they exposed the life of their prince to the most imminent dangers and the vilest indignities, just following the instant when the assassins, whom they had hired without owning, first openly took up arms against their king, corrupted his guards, surprised his castle, butchered some of the poor invalids of his garrison, murdered his governor, and, like wild beasts, tore to pieces the chief magistrate of his capital city, on account of his fidelity to his service.

Till the justice of the world is awakened, such as these will go on, without admonition, and without provocation, to every extremity. Those who have made the exhibition of the fourteenth of July are capable of every evil. They do not commit crimes for their designs; but they form designs that they may commit crimes. It is not their necessity, but their nature, that impels them. They are modern philosophers, which when you say of them, you express everything that is ignoble, savage, and hard-hearted.

Besides the sure tokens which are given by the spirit of their particular arrangements, there are some characteristic lineaments in the general policy of your tumultuous despotism, which, in my opinion, indicate, beyond a doubt, that no revolution whatsoever *in their disposition* is to be expected: I mean their scheme of educating the rising generation, the

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principles which they intend to instil and the sympathies which they wish to form in the mind at the season in which it is the most susceptible. Instead of forming their young minds to that docility, to that modesty, which are the grace and charm of youth, to an admiration of famous examples, and to an averseness to anything which approaches to pride, petulance, and self-conceit, (distempers to which that time of life is of itself sufficiently liable,) they artificially foment these evil dispositions, and even form them into springs of action. Nothing ought to be more weighed than the nature of books recommended by public authority. So recommended, they soon form the character of the age. Uncertain indeed is the efficacy, limited indeed is the extent, of a virtuous institution. But if education takes in *vice* as any part of its system, there is no doubt but that it will operate with abundant energy, and to an extent indefinite. The magistrate, who in favor of freedom thinks himself obliged to suffer all sorts of publications, is under a stricter duty than any other well to consider what sort of writers he shall authorize, and shall recommend by the strongest of all sanctions, that is, by public honors and rewards. He ought to be cautious how he recommends authors of mixed or ambiguous morality. He ought to be fearful of putting into the hands of youth writers indulgent to the peculiarities of their own complexion, lest they should teach the humors of the professor, rather than the principles of the science. He ought, above all, to be cautious in recommending any writer who has carried marks of a deranged understanding: for where there is no sound reason, there can be no real virtue; and madness is ever vicious and malignant.

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The Assembly proceeds on maxims the very reverse of these. The Assembly recommends to its youth a study of the bold experimenters in morality. Everybody knows that there is a great dispute amongst their leaders, which of them is the best resemblance of Rousseau. In truth, they all resemble him. His blood they transfuse into their minds and into their manners. Him they study; him they meditate; him they turn over in all the time they can spare from the laborious mischief of the day or the debauches of the night. Rousseau is their canon of holy writ; in his life he is their canon of Polycletus; he is their standard figure of perfection. To this man and this writer, as a pattern to authors and to Frenchmen, the foundries of Paris are now running for statues, with the kettles of their poor and the bells of their churches. If an author had written like a great genius on geometry, though his practical and speculative morals were vicious in the extreme, it might appear that in voting the statue they honored only the geometrician. But Rousseau is a moralist or he is nothing. It is impossible, therefore, putting the circumstances together, to mistake their design in choosing the author with whom they have begun to recommend a course of studies.

Their great problem is, to find a substitute for all the principles which hitherto have been employed to regulate the human will and action. They find dispositions in the mind of such force and quality as may fit men, far better than the old morality, for the purposes of such a state as theirs, and may go much further in supporting their power and destroying their enemies. They have therefore chosen a selfish, flattering, seductive, ostentatious vice, in the

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place of plain duty. True humility, the basis of the Christian system, is the low, but deep and firm foundation of all real virtue. But this, as very painful in the practice, and little imposing in the appearance, they have totally discarded. Their object is to merge all natural and all social sentiment in inordinate vanity. In a small degree, and conversant in little things, vanity is of little moment. When full-grown, it is the worst of vices, and the occasional mimic of them all. It makes the whole man false. It leaves nothing sincere or trustworthy about him. His best qualities are poisoned and perverted by it, and operate exactly as the worst. When your lords had many writers as immoral as the object of their statue (such as Voltaire and others) they chose Rousseau, because in him that peculiar vice which they wished to erect into ruling virtue was by far the most conspicuous.

We have had the great professor and founder of *the philosophy of vanity* in England. As I had good opportunities of knowing his proceedings almost from day to day, he left no doubt on my mind that he entertained no principle, either to influence his heart or to guide his understanding, but *vanity*. With this vice he was possessed to a degree little short of madness. It is from the same deranged, eccentric vanity, that this, the insane Socrates of the National Assembly, was impelled to publish a mad confession of his mad faults, and to attempt a new sort of glory from bringing hardily to light the obscure and vulgar vices which we know may sometimes be blended with eminent talents. He has not observed on the nature of vanity who does not know that it is omnivorous,—that it has no choice in its food,—that it is fond to

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talk even of its own faults and vices, as what will excite surprise and draw attention, and what will pass at worst for openness and candor.

It was this abuse and perversion, which vanity makes even of hypocrisy, which has driven Rousseau to record a life not so much as checkered or spotted here and there with virtues, or even distinguished by a single good action. It is such a life he chooses to offer to the attention of mankind. It is such a life that, with a wild defiance, he flings in the face of his Creator, whom he acknowledges only to brave. Your Assembly, knowing how much more powerful example is found than precept, has chosen this man (by his own account without a single virtue) for a model. To him they erect their first statue. From him they commence their series of honors and distinctions.

It is that new-invented virtue which your masters canonize that led their moral hero constantly to exhaust the stores of his powerful rhetoric in the expression of universal benevolence, whilst his heart was incapable of harboring one spark of common parental affection. Benevolence to the whole species, and want of feeling for every individual with whom the professors come in contact, form the character of the new philosophy. Setting up for an unsocial independence, this their hero of vanity refuses the just price of common labor, as well as the tribute which opulence owes to genius, and which, when paid, honors the giver and the receiver; and then he pleads his beggary as an excuse for his crimes. He melts with tenderness for those only who touch him by the remotest relation, and then, without one natural pang, casts away, as a sort of offal and excrement, the spawn of his disgustful amours, and sends his chil-

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dren to the hospital of foundlings. The bear loves, licks, and forms her young: but bears are not philosophers. Vanity, however, finds its account in reversing the train of our natural feelings. Thousands admire the sentimental writer; the affectionate father is hardly known in his parish.

Under this philosophic instructor in *the ethics of vanity*, they have attempted in France a regeneration of the moral constitution of man. Statesmen like your present rulers exist by everything which is spurious, fictitious, and false,—by everything which takes the man from his house, and sets him on a stage,—which makes him up an artificial creature, with painted, theatric sentiments, fit to be seen by the glare of candle-light, and formed to be contemplated at a due distance. Vanity is too apt to prevail in all of us, and in all countries. To the improvement of Frenchmen, it seems not absolutely necessary that it should be taught upon system. But it is plain that the present rebellion was its legitimate offspring, and it is piously fed by that rebellion with a daily dole.

If the system of institution recommended by the Assembly is false and theatric, it is because their system of government is of the same character. To that, and to that alone, it is strictly conformable. To understand either, we must connect the morals with the politics of the legislators. Your practical philosophers, systematic in everything, have wisely began at the source. As the relation between parents and children is the first among the elements of vulgar, natural morality,* they erect statues to a wild,

* "Filiola tua te delectari lætor, et probari tibi φυσικὴν esse τὴν πρὸς τὰ τεκνα: etenim, si hæc non est, nulla potest homini esse ad hominem naturæ adjunctio: qua sublata, vitæ societas tollitur. Va-

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ferocious, low-minded, hard-hearted father, of fine general feelings, — a lover of his kind, but a hater of his kindred. Your masters reject the duties of this vulgar relation, as contrary to liberty, as not founded in the social compact, and not binding according to the rights of men; because the relation is not, of course, the result of *free election*, — never so on the side of the children, not always on the part of the parents.

The next relation which they regenerate by their statues to Rousseau is that which is next in sanctity to that of a father. They differ from those old-fashioned thinkers who considered pedagogues as sober and venerable characters, and allied to the parental. The moralists of the dark times *præceptorem sancti voluere parentis esse loco.* In this age of light they teach the people that preceptors ought to be in the place of gallants. They systematically corrupt a very corruptible race, (for some time a growing nuisance amongst you,) — a set of pert, petulant literators, to whom, instead of their proper, but severe, unostentatious duties, they assign the brilliant part of men of wit and pleasure, of gay, young, military sparks, and danglers at toilets. They call on the rising generation in France to take a sympathy in the adventures and fortunes, and they endeavor to engage their sensibility on the side, of pedagogues who betray the most awful family trusts and vitiate their female pupils. They teach the people that the debauchers of virgins, almost in the arms of their parents, may be safe inmates in their house, and even fit guardians of the honor of those husbands who succeed

lete, Patron [Rousseau] et tui condiscipuli [L'Assemblée Nationale]!" — Cic. Ep. ad Atticum.

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legally to the office which the young literators had preoccupied without asking leave of law or conscience.

Thus they dispose of all the family relations of parents and children, husbands and wives. Through this same instructor, by whom they corrupt the morals, they corrupt the taste. Taste and elegance, though they are reckoned only among the smaller and secondary morals, yet are of no mean importance in the regulation of life. A moral taste is not of force to turn vice into virtue; but it recommends virtue with something like the blandishments of pleasure, and it infinitely abates the evils of vice. Rousseau, a writer of great force and vivacity, is totally destitute of taste in any sense of the word. Your masters, who are his scholars, conceive that all refinement has an aristocratic character. The last age had exhausted all its powers in giving a grace and nobleness to our natural appetites, and in raising them into a higher class and order than seemed justly to belong to them. Through Rousseau, your masters are resolved to destroy these aristocratic prejudices. The passion called love has so general and powerful an influence, it makes so much of the entertainment, and indeed so much the occupation, of that part of life which decides the character forever, that the mode and the principles on which it engages the sympathy and strikes the imagination become of the utmost importance to the morals and manners of every society. Your rulers were well aware of this; and in their system of changing your manners to accommodate them to their politics, they found nothing so convenient as Rousseau. Through him they teach men to love after the fashion of philoso-

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phers: that is, they teach to men, to Frenchmen, a love without gallantry, — a love without anything of that fine flower of youthfulness and gentility which places it, if not among the virtues, among the ornaments of life. Instead of this passion, naturally allied to grace and manners, they infuse into their youth an unfashioned, indelicate, sour, gloomy, ferocious medley of pedantry and lewdness, — of metaphysical speculations blended with the coarsest sensuality. Such is the general morality of the passions to be found in their famous philosopher, in his famous work of philosophic gallantry, the *Nouvelle Éloise.*

When the fence from the gallantry of preceptors is broken down, and your families are no longer protected by decent pride and salutary domestic prejudice, there is but one step to a frightful corruption. The rulers in the National Assembly are in good hopes that the females of the first families in France may become an easy prey to dancing-masters, fiddlers, pattern-drawers, friseurs, and valets-de-chambre, and other active citizens of that description, who, having the entry into your houses, and being half domesticated by their situation, may be blended with you by regular and irregular relations. By a law they have made these people their equals. By adopting the sentiments of Rousseau they have made them your rivals. In this manner these great legislators complete their plan of levelling, and establish their rights of men on a sure foundation.

I am certain that the writings of Rousseau lead directly to this kind of shameful evil. I have often wondered how he comes to be so much more admired and followed on the Continent than he is here. Per-

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haps a secret charm in the language may have its share in this extraordinary difference. We certainly perceive, and to a degree we feel, in this writer, a style glowing, animated, enthusiastic, at the same time that we find it lax, diffuse, and not in the best taste of composition,—all the members of the piece being pretty equally labored and expanded, without any due selection or subordination of parts. He is generally too much on the stretch, and his manner has little variety. We cannot rest upon any of his works, though they contain observations which occasionally discover a considerable insight into human nature. But his doctrines, on the whole, are so inapplicable to real life and manners, that we never dream of drawing from them any rule for laws or conduct, or for fortifying or illustrating anything by a reference to his opinions. They have with us the fate of older paradoxes: —

> Cum ventum ad *verum* est, *sensus moresque* repugnant,
> Atque ipsa utilitas, justi prope mater et æqui.

Perhaps bold speculations are more acceptable because more new to you than to us, who have been long since satiated with them. We continue, as in the two last ages, to read, more generally than I believe is now done on the Continent, the authors of sound antiquity. These occupy our minds; they give us another taste and turn; and will not suffer us to be more than transiently amused with paradoxical morality. It is not that I consider this writer as wholly destitute of just notions. Amongst his irregularities, it must be reckoned that he is sometimes moral, and moral in a very sublime strain. But the *general spirit and tendency* of his works is mischievous,—and the more mischievous for this mixture:

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for perfect depravity of sentiment is not reconcilable with eloquence; and the mind (though corruptible, not complexionally vicious) would reject and throw off with disgust a lesson of pure and unmixed evil. These writers make even virtue a pander to vice.

However, I less consider the author than the system of the Assembly in perverting morality through his means. This I confess makes me nearly despair of any attempt upon the minds of their followers, through reason, honor, or conscience. The great object of your tyrants is to destroy the gentlemen of France; and for that purpose they destroy, to the best of their power, all the effect of those relations which may render considerable men powerful or even safe. To destroy that order, they vitiate the whole community. That no means may exist of confederating against their tyranny, by the false sympathies of this *Nouvelle Éloise* they endeavor to subvert those principles of domestic trust and fidelity which form the discipline of social life. They propagate principles by which every servant may think it, if not his duty, at least his privilege, to betray his master. By these principles, every considerable father of a family loses the sanctuary of his house. *Debet sua cuique domus esse perfugium tutissimum*, says the law, which your legislators have taken so much pains first to decry, then to repeal. They destroy all the tranquillity and security of domestic life: turning the asylum of the house into a gloomy prison, where the father of the family must drag out a miserable existence, endangered in proportion to the apparent means of his safety, — where he is worse than solitary in a crowd of domestics, and more apprehensive from his servants and inmates than from the hired, bloodthirsty mob



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without doors who are ready to pull him to the *lanterne*.

It is thus, and for the same end, that they endeavor to destroy that tribunal of conscience which exists independently of edicts and decrees. Your despots govern by terror. They know that he who fears God fears nothing else; and therefore they eradicate from the mind, through their Voltaire, their Helvétius, and the rest of that infamous gang, that only sort of fear which generates true courage. Their object is, that their fellow-citizens may be under the dominion of no awe but that of their Committee of Research and of their *lanterne*.

Having found the advantage of assassination in the formation of their tyranny, it is the grand resource in which they trust for the support of it. Whoever opposes any of their proceedings, or is suspected of a design to oppose them, is to answer it with his life, or the lives of his wife and children. This infamous, cruel, and cowardly practice of assassination they have the impudence to call *merciful*. They boast that they operated their usurpation rather by terror than by force, and that a few seasonable murders have prevented the bloodshed of many battles. There is no doubt they will extend these acts of mercy whenever they see an occasion. Dreadful, however, will be the consequences of their attempt to avoid the evils of war by the merciful policy of murder. If, by effectual punishment of the guilty, they do not wholly disavow that practice, and the threat of it too, as any part of their policy, if ever a foreign prince enters into France, he must enter it as into a country of assassins. The mode of civilized war will not be practised: nor are the French who act on the present

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system entitled to expect it. They whose known policy it is to assassinate every citizen whom they suspect to be discontented by their tyranny, and to corrupt the soldiery of every open enemy, must look for no modified hostility. All war, which is not battle, will be military execution. This will beget acts of retaliation from you; and every retaliation will beget a new revenge. The hell-hounds of war, on all sides, will be uncoupled and unmuzzled. The new school of murder and barbarism set up in Paris, having destroyed (so far as in it lies) all the other manners and principles which have hitherto civilized Europe, will destroy also the mode of civilized war, which, more than anything else, has distinguished the Christian world. Such is the approaching golden age which the Virgil * of your Assembly has sung to his Pollios!

In such a situation of your political, your civil, and your social morals and manners, how can you be hurt by the freedom of any discussion? Caution is for those who have something to lose. What I have said, to justify myself in not apprehending any ill consequence from a free discussion of the absurd consequences which flow from the relation of the lawful king to the usurped Constitution, will apply to my vindication with regard to the exposure I have made of the state of the army under the same sophistic usurpation. The present tyrants want no arguments to prove, what they must daily feel, that no good army can exist on their principles. They are in no want of a monitor to suggest to them the policy of getting rid of the army, as well as of the king, whenever they are in a condition to effect that measure.

* Mirabeau's speech concerning universal peace.

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What hopes may be entertained of your army for the restoration of your liberties I know not. At present, yielding obedience to the pretended orders of a king who, they are perfectly apprised, has no will, and who never can issue a mandate which is not intended, in the first operation, or in its certain consequences, for his own destruction, your army seems to make one of the principal links in the chain of that servitude of anarchy by which a cruel usurpation holds an undone people at once in bondage and confusion.

You ask me what I think of the conduct of General Monk. How this affects your case I cannot tell. I doubt whether you possess in France any persons of a capacity to serve the French monarchy in the same manner in which Monk served the monarchy of England. The army which Monk commanded had been formed by Cromwell to a perfection of discipline which perhaps has never been exceeded. That army was besides of an excellent composition. The soldiers were men of extraordinary piety after their mode; of the greatest regularity, and even severity of manners; brave in the field, but modest, quiet, and orderly in their quarters; men who abhorred the idea of assassinating their officers or any other persons, and who (they at least who served in this island) were firmly attached to those generals by whom they were well treated and ably commanded. Such an army, once gained, might be depended on. I doubt much, if you could now find a Monk, whether a Monk could find in France such an army.

I certainly agree with you, that in all probability we owe our whole Constitution to the restoration of the English monarchy. The state of things from

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which Monk relieved England was, however, by no means, at that time, so deplorable, in any sense, as yours is now, and under the present sway is likely to continue. Cromwell had delivered England from anarchy. His government, though military and despotic, had been regular and orderly. Under the iron, and under the yoke, the soil yielded its produce. After his death the evils of anarchy were rather dreaded than felt. Every man was yet safe in his house and in his property. But it must be admitted that Monk freed this nation from great and just apprehensions both of future anarchy and of probable tyranny in some form or other. The king whom he gave us was, indeed, the very reverse of your benignant sovereign, who, in reward for his attempt to bestow liberty on his subjects, languishes himself in prison. The person given to us by Monk was a man without any sense of his duty as a prince, without any regard to the dignity of his crown, without any love to his people, — dissolute, false, venal, and destitute of any positive good quality whatsoever, except a pleasant temper, and the manners of a gentleman. Yet the restoration of our monarchy, even in the person of such a prince, was everything to us; for without monarchy in England, most certainly we never can enjoy either peace or liberty. It was under this conviction that the very first regular step which we took, on the Revolution of 1688, was to fill the throne with a real king; and even before it could be done in due form, the chiefs of the nation did not attempt themselves to exercise authority so much as by *interim*. They instantly requested the Prince of Orange to take the government on himself. The throne was not effectively vacant for an hour.

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Your fundamental laws, as well as ours, suppose a monarchy. Your zeal, Sir, in standing so firmly for it as you have done, shows not only a sacred respect for your honor and fidelity, but a well-informed attachment to the real welfare and true liberties of your country. I have expressed myself ill, if I have given you cause to imagine that I prefer the conduct of those who have retired from this warfare to your behavior, who, with a courage and constancy almost supernatural, have struggled against tyranny, and kept the field to the last. You see I have corrected the exceptionable part in the edition which I now send you. Indeed, in such terrible extremities as yours, it is not easy to say, in a political view, what line of conduct is the most advisable. In that state of things, I cannot bring myself severely to condemn persons who are wholly unable to bear so much as the sight of those men in the throne of legislation who are only fit to be the objects of criminal justice. If fatigue, if disgust, if unsurmountable nausea drive them away from such spectacles, *ubi miseriarum pars non minima erat videre et aspici*, I cannot blame them. He must have an heart of adamant who could hear a set of traitors puffed up with unexpected and undeserved power, obtained by an ignoble, unmanly, and perfidious rebellion, treating their honest fellow-citizens as *rebels*, because they refused to bind themselves through their conscience, against the dictates of conscience itself, and had declined to swear an active compliance with their own ruin. How could a man of common flesh and blood endure that those who but the other day had skulked unobserved in their antechambers, scornfully insulting men illustrious in their rank, sacred in their function, and ven-

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erable in their character, now in decline of life, and swimming on the wrecks of their fortunes, — that those miscreants should tell such men scornfully and outrageously, after they had robbed them of all their property, that it is more than enough, if they are allowed what will keep them from absolute famine, and that, for the rest, they must let their gray hairs fall over the plough, to make out a scanty subsistence with the labor of their hands? Last, and worst, who could endure to hear this unnatural, insolent, and savage despotism called liberty? If, at this distance, sitting quietly by my fire, I cannot read their decrees and speeches without indignation, shall I condemn those who have fled from the actual sight and hearing of all these horrors? No, no! mankind has no title to demand that we should be slaves to their guilt and insolence, or that we should serve them in spite of themselves. · Minds sore with the poignant sense of insulted virtue, filled with high disdain against the pride of triumphant baseness, often have it not in their choice to stand their ground. Their complexion (which might defy the rack) cannot go through such a trial. Something very high must fortify men to that proof. But when I am driven to comparison, surely I cannot hesitate for a moment to prefer to such men as are common those heroes who in the midst of despair perform all the tasks of hope, — who subdue their feelings to their duties, — who, in the cause of humanity, liberty, and honor, abandon all the satisfactions of life, and every day incur a fresh risk of life itself. Do me the justice to believe that I never can prefer any fastidious virtue (virtue still) to the unconquered perseverance, to the affectionate patience, of those who watch day and

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night by the bedside of their delirious country, — who, for their love to that dear and venerable name, bear all the disgusts and all the buffets they receive from their frantic mother. Sir, I do look on you as true martyrs; I regard you as soldiers who act far more in the spirit of our Commander-in-Chief and the Captain of our Salvation than those who have left you: though I must first bolt myself very thoroughly, and know that I could do better, before I can censure them. I assure you, Sir, that, when I consider your unconquerable fidelity to your sovereign and to your country, — the courage, fortitude, magnanimity, and long-suffering of yourself, and the Abbé Maury, and of M. Cazalès, and of many worthy persons of all orders in your Assembly, — I forget, in the lustre of these great qualities, that on your side has been displayed an eloquence so rational, manly, and convincing, that no time or country, perhaps, has ever excelled. But your talents disappear in my admiration of your virtues.

As to M. Mounier and M. Lally, I have always wished to do justice to their parts, and their eloquence, and the general purity of their motives. Indeed, I saw very well, from the beginning, the mischiefs which, with all these talents and good intentions, they would do their country, through their confidence in systems. But their distemper was an epidemic malady. They were young and inexperienced; and when will young and inexperienced men learn caution and distrust of themselves? And when will men, young or old, if suddenly raised to far higher power than that which absolute kings and emperors commonly enjoy, learn anything like moderation? Monarchs, in general, respect some

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settled order of things, which they find it difficult to move from its basis, and to which they are obliged to conform, even when there are no positive limitations to their power. These gentlemen conceived that they were chosen to new-model the state, and even the whole order of civil society itself. No wonder that *they* entertained dangerous visions, when the king's ministers, trustees for the sacred deposit of the monarchy, were so infected with the contagion of project and system (I can hardly think it black premeditated treachery) that they publicly advertised for plans and schemes of government, as if they were to provide for the rebuilding of an hospital that had been burned down. What was this, but to unchain the fury of rash speculation amongst a people of itself but too apt to be guided by a heated imagination and a wild spirit of adventure?

The fault of M. Mounier and M. Lally was very great; but it was very general. If those gentlemen stopped, when they came to the brink of the gulf of guilt and public misery that yawned before them in the abyss of these dark and bottomless speculations, I forgive their first error: in that they were involved with many. Their repentance was their own.

They who consider Mounier and Lally as deserters must regard themselves as murderers and as traitors: for from what else than murder and treason did they desert? For my part, I honor them for not having carried mistake into crime. If, indeed, I thought that they were not cured by experience, that they were not made sensible that those who would reform a state ought to assume some actual constitution of government which is to be reformed,—if they are not at length satisfied that it is become a necessary pre-

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liminary to liberty in France, to commence by the re-establishment of order and property of *every* kind, and, through the reëstablishment of their monarchy, of every one of the old habitual distinctions and classes of the state, — if they do not see that these classes are not to be confounded in order to be afterwards revived and separated, — if they are not convinced that the scheme of parochial and club governments takes up the state at the wrong end, and is a low and senseless contrivance, (as making the sole constitution of a supreme power,) — I should then allow that their early rashness ought to be remembered to the last moment of their lives.

You gently reprehend me, because, in holding out the picture of your disastrous situation, I suggest no plan for a remedy. Alas! Sir, the proposition of plans, without an attention to circumstances, is the very cause of all your misfortunes; and never shall you find me aggravating, by the infusion of any speculations of mine, the evils which have arisen from the speculations of others. Your malady, in this respect, is a disorder of repletion. You seem to think that my keeping back my poor ideas may arise from an indifference to the welfare of a foreign and sometimes an hostile nation. No, Sir, I faithfully assure you, my reserve is owing to no such causes. Is this letter, swelled to a second book, a mark of national antipathy, or even of national indifference? I should act altogether in the spirit of the same caution, in a similar state of our own domestic affairs. If I were to venture any advice, in any case, it would be my best. The sacred duty of an adviser (one of the most inviolable that exists) would lead me, towards a real enemy, to act as if my best friend were the party con-

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cerned. But I dare not risk a speculation with no better view of your affairs than at present I can command; my caution is not from disregard, but from solicitude for your welfare. It is suggested solely from my dread of becoming the author of inconsiderate counsel.

It is not, that, as this strange series of actions has passed before my eyes, I have not indulged my mind in a great variety of political speculations concerning them; but, compelled by no such positive duty as does not permit me to evade an opinion, called upon by no ruling power, without authority as I am, and without confidence, I should ill answer my own ideas of what would become myself, or what would be serviceable to others, if I were, as a volunteer, to obtrude any project of mine upon a nation to whose circumstances I could not be sure it might be applicable.

Permit me to say, that, if I were as confident as I ought to be diffident in my own loose, general ideas, I never should venture to broach them, if but at twenty leagues' distance from the centre of your affairs. I must see with my own eyes, I must, in a manner, touch with my own hands, not only the fixed, but the momentary circumstances, before I could venture to suggest any political project whatsoever. I must know the power and disposition to accept, to execute, to persevere. I must see all the aids and all the obstacles. I must see the means of correcting the plan, where correctives would be wanted. I must see the things; I must see the men. Without a concurrence and adaptation of these to the design, the very best speculative projects might become not only useless, but mischievous. Plans must be made for men. We cannot think of making men, and binding

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Nature to our designs. People at a distance must judge ill of men. They do not always answer to their reputation, when you approach them. Nay, the perspective varies, and shows them quite otherwise than you thought them. At a distance, if we judge uncertainly of men, we must judge worse of *opportunities*, which continually vary their shapes and colors, and pass away like clouds. The Eastern politicians never do anything without the opinion of the astrologers on *the fortunate moment*. They are in the right, if they can do no better; for the opinion of fortune is something towards commanding it. Statesmen of a more judicious prescience look for the fortunate moment too; but they seek it, not in the conjunctions and oppositions of planets, but in the conjunctions and oppositions of men and things. These form their almanac.

To illustrate the mischief of a wise plan, without any attention to means and circumstances, it is not necessary to go farther than to your recent history. In the condition in which France was found three years ago, what better system could be proposed, what less even savoring of wild theory, what fitter to provide for all the exigencies whilst it reformed all the abuses of government, than the convention of the States-General? I think nothing better could be imagined. But I have censured, and do still presume to censure, your Parliament of Paris for not having suggested to the king that this proper measure was of all measures the most critical and arduous, one in which the utmost circumspection and the greatest number of precautions were the most absolutely necessary. The very confession that a government wants either amendment in its conformation or relief to

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great distress causes it to lose half its reputation, and as great a proportion of its strength as depends upon that reputation. It was therefore necessary first to put government out of danger, whilst at its own desire it suffered such an operation as a general reform at the hands of those who were much more filled with a sense of the disease than provided with rational means of a cure.

It may be said that this care and these precautions were more naturally the duty of the king's ministers than that of the Parliament. They were so: but every man must answer in his estimation for the advice he gives, when he puts the conduct of his measure into hands who he does not know will execute his plans according to his ideas. Three or four ministers were not to be trusted with the being of the French monarchy, of all the orders, and of all the distinctions, and all the property of the kingdom. What must be the prudence of those who could think, in the then known temper of the people of Paris, of assembling the States at a place situated as Versailles?

The Parliament of Paris did worse than to inspire this blind confidence into the king. For, as if names were things, they took no notice of (indeed, they rather countenanced) the deviations, which were manifest in the execution, from the true ancient principles of the plan which they recommended. These deviations (as guardians of the ancient laws, usages, and Constitution of the kingdom) the Parliament of Paris ought not to have suffered, without the strongest remonstrances to the throne. It ought to have sounded the alarm to the whole nation, as it had often done on things of infinitely less importance. Under pre-

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tence of resuscitating the ancient Constitution, the Parliament saw one of the strongest acts of innovation, and the most leading in its consequences, carried into effect before their eyes, — and an innovation through the medium of despotism: that is, they suffered the king's ministers to new-model the whole representation of the *Tiers État*, and, in a great measure, that of the clergy too, and to destroy the ancient proportions of the orders. These changes, unquestionably, the king had no right to make; and here the Parliaments failed in their duty, and, along with their country, have perished by this failure.

What a number of faults have led to this multitude of misfortunes, and almost all from this one source, — that of considering certain general maxims, without attending to circumstances, to times, to places, to conjunctures, and to actors! If we do not attend scrupulously to all these, the medicine of to-day becomes the poison of to-morrow. If any measure was in the abstract better than another, it was to call the States: *ea visa salus morientibus una.* Certainly it had the appearance. But see the consequences of not attending to critical moments, of not regarding the symptoms which discriminate diseases, and which distinguish constitutions, complexions, and humors.

> Mox erat hoc ipsum exitio; furiisque refecti
> Ardebant; ipsique suos, jam morte sub ægra,
> Discissos nudis laniabant dentibus artus.

Thus the potion which was given to strengthen the Constitution, to heal divisions, and to compose the minds of men, became the source of debility, frenzy, discord, and utter dissolution.

In this, perhaps, I have answered, I think, another of your questions, — Whether the British Constitu-

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tion is adapted to your circumstances? When I praised the British Constitution, and wished it to be well studied, I did not mean that its exterior form and positive arrangement should become a model for you or for any people servilely to copy. I meant to recommend the *principles* from which it has grown, and the policy on which it has been progressively improved out of elements common to you and to us. I am sure it is no visionary theory of mine. It is not an advice that subjects you to the hazard of any experiment. I believed the ancient principles to be wise in all cases of a large empire that would be free. I thought you possessed our principles in your old forms in as great a perfection as we did originally. If your States agreed (as I think they did) with your circumstances, they were best for you. As you had a Constitution formed upon principles similar to ours, my idea was, that you might have improved them as we have done, conforming them to the state and exigencies of the times, and the condition of property in your country, — having the conservation of that property, and the substantial basis of your monarchy, as principal objects in all your reforms.

I do not advise an House of Lords to you. Your ancient course by representatives of the noblesse (in your circumstances) appears to me rather a better institution. I know, that, with you, a set of men of rank have betrayed their constituents, their honor, their trust, their king, and their country, and levelled themselves with their footmen, that through this degradation they might afterwards put themselves above their natural equals. Some of these persons have entertained a project, that, in reward of this their black perfidy and corruption, they may be

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chosen to give rise to a new order, and to establish themselves into an House of Lords. Do you think, that, under the name of a British Constitution, I mean to recommend to you such Lords, made of such kind of stuff? I do not, however, include in this description all of those who are fond of this scheme.

If you were now to form such an House of Peers, it would bear, in my opinion, but little resemblance to ours, in its origin, character, or the purposes which it might answer, at the same time that it would destroy your true natural nobility. But if you are not in a condition to frame a House of Lords, still less are you capable, in my opinion, of framing anything which virtually and substantially could be answerable (for the purposes of a stable, regular government) to our House of Commons. That House is, within itself, a much more subtle and artificial combination of parts and powers than people are generally aware of. What knits it to the other members of the Constitution, what fits it to be at once the great support and the great control of government, what makes it of such admirable service to that monarchy which, if it limits, it secures and strengthens, would require a long discourse, belonging to the leisure of a contemplative man, not to one whose duty it is to join in communicating practically to the people the blessings of such a Constitution.

Your *Tiers État* was not in effect and substance an House of Commons. You stood in absolute need of something else to supply the manifest defects in such a body as your *Tiers État*. On a sober and dispassionate view of your old Constitution, as connected with all the present circumstances, I was fully persuaded that the crown, standing as things have stood, (and

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are likely to stand, if you are to have any monarchy at all,) was and is incapable, alone and by itself, of holding a just balance between the two orders, and at the same time of effecting the interior and exterior purposes of a protecting government. I, whose leading principle it is, in a reformation of the state, to make use of existing materials, am of opinion that the representation of the clergy, as a separate order, was an institution which touched all the orders more nearly than any of them touched the other; that it was well fitted to connect them, and to hold a place in any wise monarchical commonwealth. If I refer you to your original Constitution, and think it, as I do, substantially a good one, I do not amuse you in this, more than in other things, with any inventions of mine. A certain intemperance of intellect is the disease of the time, and the source of all its other diseases. I will keep myself as untainted by it as I can. Your architects build without a foundation. I would readily lend an helping hand to any superstructure, when once this is effectually secured,—but first I would say, *Δός που στῶ.*

You think, Sir, (and you might think rightly, upon the first view of the theory,) that to provide for the exigencies of an empire so situated and so related as that of France, its king ought to be invested with powers very much superior to those which the king of England possesses under the letter of our Constitution. Every degree of power necessary to the state, and not destructive to the rational and moral freedom of individuals, to that personal liberty and personal security which contribute so much to the vigor, the prosperity, the happiness, and the dignity of a nation, —every degree of power which does not suppose the



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total absence of all control and all responsibility on the part of ministers, — a king of France, in common sense, ought to possess. But whether the exact measure of authority assigned by the letter of the law to the king of Great Britain can answer to the exterior or interior purposes of the French monarchy is a point which I cannot venture to judge upon. Here, both in the power given, and its limitations, we have always cautiously felt our way. The parts of our Constitution have gradually, and almost insensibly, in a long course of time, accommodated themselves to each other, and to their common as well as to their separate purposes. But this adaptation of contending parts, as it has not been in ours, so it can never be in yours, or in any country, the effect of a single instantaneous regulation, and no sound heads could ever think of doing it in that manner.

I believe, Sir, that many on the Continent altogether mistake the condition of a king of Great Britain. He is a real king, and not an executive officer. If he will not trouble himself with contemptible details, nor wish to degrade himself by becoming a party in little squabbles, I am far from sure that a king of Great Britain, in whatever concerns him as a king, or indeed as a rational man, who combines his public interest with his personal satisfaction, does not possess a more real, solid, extensive power than the king of France was possessed of before this miserable revolution. The direct power of the king of England is considerable. His indirect, and far more certain power, is great indeed. He stands in need of nothing towards dignity, — of nothing towards splendor, — of nothing towards authority, — of nothing at all towards consideration abroad. When was it that a king of

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England wanted wherewithal to make him respected, courted, or perhaps even feared, in every state in Europe?

I am constantly of opinion that your States, in three orders, on the footing on which they stood in 1614, were capable of being brought into a proper and harmonious combination with royal authority. This constitution by Estates was the natural and only just representation of France. It grew out of the habitual conditions, relations, and reciprocal claims of men. It grew out of the circumstances of the country, and out of the state of property. The wretched scheme of your present masters is not to fit the Constitution to the people, but wholly to destroy conditions, to dissolve relations, to change the state of the nation, and to subvert property, in order to fit their country to their theory of a Constitution.

Until you make out practically that great work, a combination of opposing forces, "a work of labor long, and endless praise," the utmost caution ought to have been used in the reduction of the royal power, which alone was capable of holding together the comparatively heterogeneous mass of your States. But at this day all these considerations are unseasonable. To what end should we discuss the limitations of royal power? Your king is in prison. Why speculate on the measure and standard of liberty? I doubt much, very much indeed, whether France is at all ripe for liberty on any standard. Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites, — in proportion as their love to justice is above their rapacity, — in proportion as their soundness and sobriety of understanding is above their vanity

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and presumption, — in proportion as they are more disposed to listen to the counsels of the wise and good, in preference to the flattery of knaves. Society cannot exist, unless a controlling power upon will and appetite be placed somewhere; and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things, that men of intemperate minds cannot be free. Their passions forge their fetters.

This sentence the prevalent part of your countrymen execute on themselves. They possessed not long since what was next to freedom, a mild, paternal monarchy. They despised it for its weakness. They were offered a well-poised, free Constitution. It did not suit their taste or their temper. They carved for themselves: they flew out, murdered, robbed, and rebelled. They have succeeded, and put over their country an insolent tyranny made up of cruel and inexorable masters, and that, too, of a description hitherto not known in the world. The powers and policies by which they have succeeded are not those of great statesmen or great military commanders, but the practices of incendiaries, assassins, housebreakers, robbers, spreaders of false news, forgers of false orders from authority, and other delinquencies, of which ordinary justice takes cognizance. Accordingly, the spirit of their rule is exactly correspondent to the means by which they obtained it. They act more in the manner of thieves who have got possession of an house than of conquerors who have subdued a nation.

Opposed to these, in appearance, but in appearance only, is another band, who call themselves *the Moderate.* These, if I conceive rightly of their con-

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duct, are a set of men who approve heartily of the whole new Constitution, but wish to lay heavy on the most atrocious of those crimes by which this fine Constitution of theirs has been obtained. They are a sort of people who affect to proceed as if they thought that men may deceive without fraud, rob without injustice, and overturn everything without violence. They are men who would usurp the government of their country with decency and moderation. In fact, they are nothing more or better than men engaged in desperate designs with feeble minds. They are not honest; they are only ineffectual and unsystematic in their iniquity. They are persons who want not the dispositions, but the energy and vigor, that is necessary for great evil machinations. They find that in such designs they fall at best into a secondary rank, and others take the place and lead in usurpation which they are not qualified to obtain or to hold. They envy to their companions the natural fruit of their crimes; they join to run them down with the hue and cry of mankind, which pursues their common offences; and then hope to mount into their places on the credit of the sobriety with which they show themselves disposed to carry on what may seem most plausible in the mischievous projects they pursue in common. But these men are naturally despised by those who have heads to know, and hearts that are able to go through the necessary demands of bold, wicked enterprises. They are naturally classed below the latter description, and will only be used by them as inferior instruments. They will be only the Fairfaxes of your Cromwells. If they mean honestly, why do they not strengthen the arms of honest men to support their ancient, legal,

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wise, and free government, given to them in the spring of 1788, against the inventions of craft and the theories of ignorance and folly? If they do not, they must continue the scorn of both parties, — sometimes the tool, sometimes the incumbrance of that whose views they approve, whose conduct they decry. These people are only made to be the sport of tyrants. They never can obtain or communicate freedom.

You ask me, too, whether we have a Committee of Research. No, Sir, — God forbid! It is the necessary instrument of tyranny and usurpation; and therefore I do not wonder that it has had an early establishment under your present lords. We do not want it.

Excuse my length. I have been somewhat occupied since I was honored with your letter; and I should not have been able to answer it at all, but for the holidays, which have given me means of enjoying the leisure of the country. I am called to duties which I am neither able nor willing to evade. I must soon return to my old conflict with the corruptions and oppressions which have prevailed in our Eastern dominions. I must turn myself wholly from those of France.

In England we *cannot* work so hard as Frenchmen. Frequent relaxation is necessary to us. You are naturally more intense in your application. I did not know this part of your national character, until I went into France in 1773. At present, this your disposition to labor is rather increased than lessened. In your Assembly you do not allow yourselves a recess even on Sundays. We have two days in the week, besides the festivals, and besides five or six months of the summer and autumn. This contin-

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ued, unremitted effort of the members of your Assembly I take to be one among the causes of the mischief they have done. They who always labor can have no true judgment. You never give yourselves time to cool. You can never survey, from its proper point of sight, the work you have finished, before you decree its final execution. You can never plan the future by the past. You never go into the country, soberly and dispassionately to observe the effect of your measures on their objects. You cannot feel distinctly how far the people are rendered better and improved, or more miserable and depraved, by what you have done. You cannot see with your own eyes the sufferings and afflictions you cause. You know them but at a distance, on the statements of those who always flatter the reigning power, and who, amidst their representations of the grievances, inflame your minds against those who are oppressed. These are amongst the effects of unremitted labor, when men exhaust their attention, burn out their candles, and are left in the dark. — *Malo meorum negligentiam, quam istorum obscuram diligentiam.*

I have the honor, &c.,

EDMUND BURKE.

BEACONSFIELD, January 19th, 1791.

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AN

# APPEAL

FROM

# THE NEW TO THE OLD WHIGS,

IN CONSEQUENCE OF SOME LATE

## DISCUSSIONS IN PARLIAMENT

RELATIVE TO THE

## REFLECTIONS ON THE FRENCH REVOLUTION.

1791.

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## ADVERTISEMENT

### TO THE SECOND EDITION.

THERE are some corrections in this edition, which tend to render the sense less obscure in one or two places. The order of the two last members is also changed, and I believe for the better. This change was made on the suggestion of a very learned person, to the partiality of whose friendship I owe much; to the severity of whose judgment I owe more.

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# AN APPEAL

FROM

# THE NEW TO THE OLD WHIGS.

AT Mr. Burke's time of life, and in his dispositions, *petere honestam missionem* was all he had to do with his political associates. This boon they have not chosen to grant him. With many expressions of good-will, in effect they tell him he has loaded the stage too long. They conceive it, though an harsh, yet a necessary office, in full Parliament to declare to the present age, and to as late a posterity as shall take any concern in the proceedings of our day, that by one book he has disgraced the whole tenor of his life. — Thus they dismiss their old partner of the war. He is advised to retire, whilst they continue to serve the public upon wiser principles and under better auspices.

Whether Diogenes the Cynic was a true philosopher cannot easily be determined. He has written nothing. But the sayings of his which are handed down by others are lively, and may be easily and aptly applied on many occasions by those whose wit is not so perfect as their memory. This Diogenes (as every one will recollect) was citizen of a little bleak town situated on the coast of the Euxine, and exposed to all the buffets of that inhospitable sea. He lived at a great distance from those weather

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beaten walls, in ease and indolence, and in the midst of literary leisure, when he was informed that his townsmen had condemned him to be banished from Sinope; he answered coolly, "And I condemn them to live in Sinope."

The gentlemen of the party in which Mr. Burke has always acted, in passing upon him the sentence of retirement,* have done nothing more than to confirm the sentence which he had long before passed upon himself. When that retreat was choice, which the tribunal of his peers inflict as punishment, it is plain he does not think their sentence intolerably severe. Whether they, who are to continue in the Sinope which shortly he is to leave, will spend the long years, which I hope remain to them, in a manner more to their satisfaction than he shall slide down, in silence and obscurity, the slope of his declining days, is best known to Him who measures out years, and days, and fortunes.

* Newspaper intelligence ought always to be received with some degree of caution. I do not know that the following paragraph is founded on any authority; but it comes with an air of authority. The paper is professedly in the interest of the modern Whigs, and under their direction. The paragraph is not disclaimed on their part. It professes to be the decision of those whom its author calls "the great and firm body of the Whigs of England." Who are the Whigs of a different composition, which the promulgator of the sentence considers as composed of fleeting and unsettled particles, I know not, nor whether there be any of that description. The definitive sentence of "the great and firm body of the Whigs of England" (as this paper gives it out) is as follows: —

"The great and firm body of the Whigs of England, true to their principles, have decided on the dispute between Mr. Fox and Mr. Burke; and the former is declared to have maintained the pure doctrines by which they are bound together, and upon which they have invariably acted. The consequence is, that Mr. Burke retires from Parliament." — *Morning Chronicle*, May 12, 1791.

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The quality of the sentence does not, however, decide on the justice of it. Angry friendship is sometimes as bad as calm enmity. For this reason the cold neutrality of abstract justice is, to a good and clear cause, a more desirable thing than an affection liable to be any way disturbed. When the trial is by friends, if the decision should happen to be favorable, the honor of the acquittal is lessened; if adverse, the condemnation is exceedingly embittered. It is aggravated by coming from lips professing friendship, and pronouncing judgment with sorrow and reluctance. Taking in the whole view of life, it is more safe to live under the jurisdiction of severe, but steady reason, than under the empire of indulgent, but capricious passion. It is certainly well for Mr. Burke that there are impartial men in the world. To them I address myself, pending the appeal which on his part is made from the living to the dead, from the modern Whigs to the ancient.

The gentlemen, who, in the name of the party, have passed sentence on Mr. Burke's book, in the light of literary criticism, are judges above all challenge. He did not, indeed, flatter himself that as a writer he could claim the approbation of men whose talents, in his judgment and in the public judgment, approach to prodigies, if ever such persons should be disposed to estimate the merit of a composition upon the standard of their own ability.

In their critical censure, though Mr. Burke may find himself humbled by it as a writer, as a man, and as an Englishman, he finds matter not only of consolation, but of pride. He proposed to convey to a foreign people, not his own ideas, but the prevalent opinions and sentiments of a nation, renowned for

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wisdom, and celebrated in all ages for a well-understood and well-regulated love of freedom. This was the avowed purpose of the far greater part of his work. As that work has not been ill received, and as his critics will not only admit, but contend, that this reception could not be owing to any excellence in the composition capable of perverting the public judgment, it is clear that he is not disavowed by the nation whose sentiments he had undertaken to describe. His representation is authenticated by the verdict of his country. Had his piece, as a work of skill, been thought worthy of commendation, some doubt might have been entertained of the cause of his success. But the matter stands exactly as he wishes it. He is more happy to have his fidelity in representation recognized by the body of the people than if he were to be ranked in point of ability (and higher he could not be ranked) with those whose critical censure he has had the misfortune to incur.

It is not from this part of their decision which the author wishes an appeal. There are things which touch him more nearly. To abandon them would argue, not diffidence in his abilities, but treachery to his cause. Had his work been recognized as a pattern for dexterous argument and powerful eloquence, yet, if it tended to establish maxims or to inspire sentiments adverse to the wise and free Constitution of this kingdom, he would only have cause to lament that it possessed qualities fitted to perpetuate the memory of his offence. Oblivion would be the only means of his escaping the reproaches of posterity. But, after receiving the common allowance due to the common weakness of man, he wishes to owe no part of the indulgence of the world to its for-

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getfulness. He is at issue with the party before the present, and, if ever he can reach it, before the coming generation.

The author, several months previous to his publication, well knew that two gentlemen, both of them possessed of the most distinguished abilities, and of a most decisive authority in the party, had differed with him in one of the most material points relative to the French Revolution: that is, in their opinion of the behavior of the French soldiery, and its revolt from its officers. At the time of their public declaration on this subject, he did not imagine the opinion of these two gentlemen had extended a great way beyond themselves. He was, however, well aware of the probability that persons of their just credit and influence would at length dispose the greater number to an agreement with their sentiments, and perhaps might induce the whole body to a tacit acquiescence in their declarations, under a natural and not always an improper dislike of showing a difference with those who lead their party. I will not deny that in general this conduct in parties is defensible; but within what limits the practice is to be circumscribed, and with what exceptions the doctrine which supports it is to be received, it is not my present purpose to define. The present question has nothing to do with their motives; it only regards the public expression of their sentiments.

The author is compelled, however reluctantly, to receive the sentence pronounced upon him in the House of Commons as that of the party. It proceeded from the mouth of him who must be regarded as its authentic organ. In a discussion which continued for two days, no one gentleman of the



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opposition interposed a negative, or even a doubt, in favor of him or his opinions. If an idea consonant to the doctrine of his book, or favorable to his conduct, lurks in the minds of any persons in that description, it is to be considered only as a peculiarity which they indulge to their own private liberty of thinking. The author cannot reckon upon it. It has nothing to do with them as members of a party. In their public capacity, in everything that meets the public ear or public eye, the body must be considered as unanimous.

They must have been animated with a very warm zeal against those opinions, because they were under no *necessity* of acting as they did, from any just cause of apprehension that the errors of this writer should be taken for theirs. They might disapprove; it was not necessary they should *disavow* him, as they have done in the whole and in all the parts of his book; because neither in the whole nor in any of the parts were they directly, or by any implication, involved. The author was known, indeed, to have been warmly, strenuously, and affectionately, against all allurements of ambition, and all possibility of alienation from pride or personal pique or peevish jealousy, attached to the Whig party. With one of them he has had a long friendship, which he must ever remember with a melancholy pleasure. To the great, real, and amiable virtues, and to the unequalled abilities of that gentleman, he shall always join with his country in paying a just tribute of applause. There are others in that party for whom, without any shade of sorrow, he bears as high a degree of love as can enter into the human heart, and as much veneration as ought to be paid to human creatures; because he

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firmly believes that they are endowed with as many and as great virtues as the nature of man is capable of producing, joined to great clearness of intellect, to a just judgment, to a wonderful temper, and to true wisdom. His sentiments with regard to them can never vary, without subjecting him to the just indignation of mankind, who are bound, and are generally disposed, to look up with reverence to the best patterns of their species, and such as give a dignity to the nature of which we all participate. For the whole of the party he has high respect. Upon a view, indeed, of the composition of all parties, he finds great satisfaction. It is, that, in leaving the service of his country, he leaves Parliament without all comparison richer in abilities than he found it. Very solid and very brilliant talents distinguish the ministerial benches. The opposite rows are a sort of seminary of genius, and have brought forth such and so great talents as never before (amongst us at least) have appeared together. If their owners are disposed to serve their country, (he trusts they are,) they are in a condition to render it services of the highest importance. If, through mistake or passion, they are led to contribute to its ruin, we shall at least have a consolation denied to the ruined country that adjoins us: we shall not be destroyed by men of mean or secondary capacities.

All these considerations of party attachment, of personal regard, and of personal admiration rendered the author of the Reflections extremely cautious, lest the slightest suspicion should arise of his having undertaken to express the sentiments even of a single man of that description. His words at the outset of his Reflections are these: —

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"In the first letter I had the honor to write to you, and which at length I send, I wrote neither *for* nor *from* any description of men; nor shall I in this. My errors, if any, are *my own*. My reputation *alone* is to answer for them." In another place he says, (p. 126,*) "I have *no man's* proxy. I speak *only* from *myself*, when I disclaim, as I do with all possible earnestness, all communion with the actors in that triumph, or with the admirers of it. When I assert anything else, as concerning the people of England, I speak from observation, *not from authority*."

To say, then, that the book did not contain the sentiments of their party is not to contradict the author or to clear themselves. If the party had denied his doctrines to be the current opinions of the majority in the nation, they would have put the question on its true issue. There, I hope and believe, his censurers will find, on the trial, that the author is as faithful a representative of the general sentiment of the people of England, as any person amongst them can be of the ideas of his own party.

The French Revolution can have no connection with the objects of any parties in England formed before the period of that event, unless they choose to imitate any of its acts, or to consolidate any principles of that Revolution with their own opinions. The French Revolution is no part of their original contract. The matter, standing by itself, is an open subject of political discussion, like all the other revolutions (and there are many) which have been attempted or accomplished in our age. But if any considerable number of British subjects, taking a factious interest in

* Reflections, &c., 1st ed., London, J. Dodsley, 1790. — Works, Vol. III. p. 343, in the present edition.

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the proceedings of France, begin publicly to incorporate themselves for the subversion of nothing short of the *whole* Constitution of this kingdom, — to incorporate themselves for the utter overthrow of the body of its laws, civil and ecclesiastical, and with them of the whole system of its manners, in favor of the new Constitution and of the modern usages of the French nation, — I think no party principle could bind the author not to express his sentiments strongly against such a faction. On the contrary, he was perhaps bound to mark his dissent, when the leaders of the party were daily going out of their way to make public declarations in Parliament, which, notwithstanding the purity of their intentions, had a tendency to encourage ill-designing men in their practices against our Constitution.

The members of this faction leave no doubt of the nature and the extent of the mischief they mean to produce. They declare it openly and decisively. Their intentions are not left equivocal. They are put out of all dispute by the thanks which, formally and as it were officially, they issue, in order to recommend and to promote the circulation of the most atrocious and treasonable libels against all the hitherto cherished objects of the love and veneration of this people. Is it contrary to the duty of a good subject to reprobate such proceedings? Is it alien to the office of a good member of Parliament, when such practices increase, and when the audacity of the conspirators grows with their impunity, to point out in his place their evil tendency to the happy Constitution which he is chosen to guard? Is it wrong, in any sense, to render the people of England sensible how much they must suffer, if, unfortunately, such

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a wicked faction should become possessed in this country of the same power which their allies in the very next to us have so perfidiously usurped and so outrageously abused? Is it inhuman to prevent, if possible, the spilling *their* blood, or imprudent to guard against the effusion of *our own?* Is it contrary to any of the honest principles of party, or repugnant to any of the known duties of friendship, for any senator respectfully and amicably to caution his brother members against countenancing, by inconsiderate expressions, a sort of proceeding which it is impossible they should deliberately approve?

He had undertaken to demonstrate, by arguments which he thought could not be refuted, and by documents which he was sure could not be denied, that no comparison was to be made between the British government and the French usurpation. — That they who endeavored madly to compare them were by no means making the comparison of one good system with another good system, which varied only in local and circumstantial differences; much less that they were holding out to us a superior pattern of legal liberty, which we might substitute in the place of our old, and, as they describe it, superannuated Constitution. He meant to demonstrate that the French scheme was not a comparative good, but a positive evil. — That the question did not at all turn, as it had been stated, on a parallel between a monarchy and a republic. He denied that the present scheme of things in France did at all deserve the respectable name of a republic: he had therefore no comparison between monarchies and republics to make. — That what was done in France was a wild attempt to methodize anarchy, to perpetuate and fix disorder.

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That it was a foul, impious, monstrous thing, wholly out of the course of moral Nature. He undertook to prove that it was generated in treachery, fraud, falsehood, hypocrisy, and unprovoked murder. — He offered to make out that those who have led in that business had conducted themselves with the utmost perfidy to their colleagues in function, and with the most flagrant perjury both towards their king and their constituents: to the one of whom the Assembly had sworn fealty; and to the other, when under no sort of violence or constraint, they had sworn a full obedience to instructions. — That, by the terror of assassination, they had driven away a very great number of the members, so as to produce a false appearance of a majority. — That this fictitious majority had fabricated a Constitution, which, as now it stands, is a tyranny far beyond any example that can be found in the civilized European world of our age; that therefore the lovers of it must be lovers, not of liberty, but, if they really understand its nature, of the lowest and basest of all servitude.

He proposed to prove that the present state of things in France **is** not a transient evil, productive, as some have too favorably represented it, of a lasting good; but that the present evil is only the means of producing future and (if that were possible) worse evils. — That it is not an undigested, imperfect, and crude scheme of liberty, which may gradually be mellowed and ripened into an orderly and social freedom; but that it is so fundamentally wrong as to be utterly incapable of correcting itself by any length of time, or of being formed into any mode of polity of which a member of the House of Commons could publicly declare his approbation.

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If it had been permitted to Mr. Burke, he would have shown distinctly, and in detail, that what the Assembly calling itself National had held out as a large and liberal toleration is in reality a cruel and insidious religious persecution, infinitely more bitter than any which had been heard of within this century. — That it had a feature in it worse than the old persecutions. — That the old persecutors acted, or pretended to act, from zeal towards some system of piety and virtue: they gave strong preferences to their own; and if they drove people from one religion, they provided for them another, in which men might take refuge and expect consolation. — That their new persecution is not against a variety in conscience, but against all conscience. That it professes contempt towards its object; and whilst it treats all religion with scorn, is not so much as neutral about the modes: it unites the opposite evils of intolerance and of indifference.

He could have proved that it is so far from rejecting tests, (as unaccountably had been assserted,) that the Assembly had imposed tests of a peculiar hardship, arising from a cruel and premeditated pecuniary fraud: tests against old principles, sanctioned by the laws, and binding upon the conscience. — That these tests were not imposed as titles to some new honor or some new benefit, but to enable men to hold a poor compensation for their legal estates, of which they had been unjustly deprived; and as they had before been reduced from affluence to indigence, so, on refusal to swear against their conscience, they are now driven from indigence to famine, and treated with every possible degree of outrage, insult, and inhumanity. — That these tests, which their impos-

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ers well knew would not be taken, were intended for the very purpose of cheating their miserable victims out of the compensation which the tyrannic impostors of the Assembly had previously and purposely rendered the public unable to pay. That thus their ultimate violence arose from their original fraud.

He would have shown that the universal peace and concord amongst nations, which these common enemies to mankind had held out with the same fraudulent ends and pretences with which they had uniformly conducted every part of their proceeding, was a coarse and clumsy deception, unworthy to be proposed as an example, by an informed and sagacious British senator, to any other country. — That, far from peace and good-will to men, they meditated war against all other governments, and proposed systematically to excite in them all the very worst kind of seditions, in order to lead to their common destruction. — That they had discovered, in the few instances in which they have hitherto had the power of discovering it, (as at Avignon and in the Comtat, at Cavaillon and at Carpentras,) in what a savage manner they mean to conduct the seditions and wars they have planned against their neighbors, for the sake of putting themselves at the head of a confederation of republics as wild and as mischievous as their own. He would have shown in what manner that wicked scheme was carried on in those places, without being directly either owned or disclaimed, in hopes that the undone people should at length be obliged to fly to their tyrannic protection, as some sort of refuge from their barbarous and treacherous hostility. He would have shown from those examples that neither this nor any other society could be

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in safety as long as such a public enemy was in a condition to continue directly or indirectly such practices against its peace. — That Great Britain was a principal object of their machinations; and that they had begun by establishing correspondences, communications, and a sort of federal union with the factious here. — That no practical enjoyment of a thing so imperfect and precarious as human happiness must be, even under the very best of governments, could be a security for the existence of these governments, during the prevalence of the principles of France, propagated from that grand school of every disorder and every vice.

He was prepared to show the madness of their declaration of the pretended rights of man, — the childish futility of some of their maxims, the gross and stupid absurdity and the palpable falsity of others, and the mischievous tendency of all such declarations to the well-being of men and of citizens and to the safety and prosperity of every just commonwealth. He was prepared to show, that, in their conduct, the Assembly had directly violated not only every sound principle of government, but every one, without exception, of their own false or futile maxims, and indeed every rule they had pretended to lay down for their own direction.

In a word, he was ready to show that those who could, after such a full and fair exposure, continue to countenance the French insanity were not mistaken politicians, but bad men; but he thought that in this case, as in many others, ignorance had been the cause of admiration.

These are strong assertions. They required strong proofs. The member who laid down these positions

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was and is ready to give, in his place, to each position decisive evidence, correspondent to the nature and quality of the several allegations.

In order to judge on the propriety of the interruption given to Mr. Burke, in his speech in the committee of the Quebec Bill, it is necessary to inquire, First, whether, on general principles, he ought to have been suffered to prove his allegations? Secondly, whether the time he had chosen was so very unseasonable as to make his exercise of a parliamentary right productive of ill effects on his friends or his country? Thirdly, whether the opinions delivered in his book, and which he had begun to expatiate upon that day, were in contradiction to his former principles, and inconsistent with the general tenor of his public conduct?

They who have made eloquent panegyrics on the French Revolution, and who think a free discussion so very advantageous in every case and under every circumstance, ought not, in my opinion, to have prevented their eulogies from being tried on the test of facts. If their panegyric had been answered with an invective, (bating the difference in point of eloquence,) the one would have been as good as the other: that is, they would both of them have been good for nothing. The panegyric and the satire ought to be suffered to go to trial; and that which shrinks from it must be contented to stand, at best, as a mere declamation.

I do not think Mr. Burke was wrong in the course he took. That which seemed to be recommended to him by Mr. Pitt was rather to extol the English Constitution than to attack the French. I do not determine what would be best for Mr. Pitt to do in his

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situation. I do not deny that *he* may have good reasons for his reserve. Perhaps they might have been as good for a similar reserve on the part of Mr. Fox, if his zeal had suffered him to listen to them. But there were no motives of ministerial prudence, or of that prudence which ought to guide a man perhaps on the eve of being minister, to restrain the author of the Reflections. He is in no office under the crown; he is not the organ of any party.

The excellencies of the British Constitution had already exercised and exhausted the talents of the best thinkers and the most eloquent writers and speakers that the world ever saw. But in the present case a system declared to be far better, and which certainly is much newer, (to restless and unstable minds no small recommendation,) was held out to the admiration of the good people of England. In that case it was surely proper for those who had far other thoughts of the French Constitution to scrutinize that plan which has been recommended to our imitation by active and zealous factions at home and abroad. Our complexion is such, that we are palled with enjoyment, and stimulated with hope, — that we become less sensible to a long-possessed benefit from the very circumstance that it is become habitual. Specious, untried, ambiguous prospects of new advantage recommend themselves to the spirit of adventure which more or less prevails in every mind. From this temper, men and factions, and nations too, have sacrificed the good of which they had been in assured possession, in favor of wild and irrational expectations. What should hinder Mr. Burke, if he thought this temper likely at one time or other to prevail in our country, from exposing to a multitude

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eager to game the false calculations of this lottery of fraud ?

I allow, as I ought to do, for the effusions which come from a *general* zeal for liberty. This is to be indulged, and even to be encouraged, as long as *the question is general.* An orator, above all men, ought to be allowed a full and free use of the praise of liberty. A commonplace in favor of slavery and tyranny, delivered to a popular assembly, would indeed be a bold defiance to all the principles of rhetoric. But in a question whether any particular Constitution is or is not a plan of rational liberty, this kind of rhetorical flourish in favor of freedom in general is surely a little out of its place. It is virtually a beg ging of the question. It is a song of triumph before the battle.

"But Mr. Fox does not make the panegyric of the new Constitution; it is the destruction only of the absolute monarchy he commends." When that nameless thing which has been lately set up in France was described as " the most stupendous and glorious edifice of liberty which had been erected on the foundation of human integrity in any time or country," it might at first have led the hearer into an opinion that the construction of the new fabric was an object of admiration, as well as the demolition of the old. Mr. Fox, however, has explained himself; and it would be too like that captious and cavilling spirit which I so perfectly detest, if I were to pin down the language of an eloquent and ardent mind to the punctilious exactness of a pleader. Then Mr. Fox did not mean to applaud that monstrous thing which, by the courtesy of France, they call a Constitution. I easily believe it. Far from

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meriting the praises of a great genius like Mr. Fox, it cannot be approved by any man of common sense or common information. He cannot admire the change of one piece of barbarism for another, and a worse. He cannot rejoice at the destruction of a monarchy, mitigated by manners, respectful to laws and usages, and attentive, perhaps but too attentive, to public opinion, in favor of the tyranny of a licentious, ferocious, and savage multitude, without laws, manners, or morals, and which, so far from respecting the general sense of mankind, insolently endeavors to alter all the principles and opinions which have hitherto guided and contained the world, and to force them into a conformity to their views and actions. His mind is made to better things.

That a man should rejoice and triumph in the destruction of an absolute monarchy, — that in such an event he should overlook the captivity, disgrace, and degradation of an unfortunate prince, and the continual danger to a life which exists only to be endangered, — that he should overlook the utter ruin of whole orders and classes of men, extending itself directly, or in its nearest consequences, to at least a million of our kind, and to at least the temporary wretchedness of a whole community, — I do not deny to be in some sort natural; because, when people see a political object which they ardently desire but in one point of view, they are apt extremely to palliate or underrate the evils which may arise in obtaining it. This is no reflection on the humanity of those persons. Their good-nature I am the last man in the world to dispute. It only shows that they are not sufficiently informed or sufficiently considerate. When they come to reflect seriously on the trans-

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action, they will think themselves bound to examine what the object is that has been acquired by all this havoc. They will hardly assert that the destruction of an absolute monarchy is a thing good in itself, without any sort of reference to the antecedent state of things, or to consequences which result from the change,—without any consideration whether under its ancient rule a country was to a considerable degree flourishing and populous, highly cultivated and highly commercial, and whether, under that domination, though personal liberty had been precarious and insecure, property at least was ever violated. They cannot take the moral sympathies of the human mind along with them, in abstractions separated from the good or evil condition of the state, from the quality of actions, and the character of the actors. None of us love absolute and uncontrolled monarchy; but we could not rejoice at the sufferings of a Marcus Aurelius or a Trajan, who were absolute monarchs, as we do when Nero is condemned by the Senate to be punished *more majorum;* nor, when that monster was obliged to fly with his wife Sporus, and to drink puddle, were men affected in the same manner as when the venerable Galba, with all his faults and errors, was murdered by a revolted mercenary soldiery. With such things before our eyes, our feelings contradict our theories; and when this is the case, the feelings are true, and the theory is false. What I contend for is, that, in commending the destruction of an absolute monarchy, *all the circumstances* ought not to be wholly overlooked, as "considerations fit only for shallow and superficial minds." (The words of Mr. Fox, or to that effect.)

The subversion of a government, to deserve any

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praise, must be considered but as a step preparatory to the formation of something better, either in the scheme of the government itself, or in the persons who administer it, or in both. These events cannot in reason be separated. For instance, when we praise our Revolution of 1688, though the nation in that act was on the defensive, and was justified in incurring all the evils of a defensive war, we do not rest there. We always combine with the subversion of the old government the happy settlement which followed. When we estimate that Revolution, we mean to comprehend in our calculation both the value of the thing parted with and the value of the thing received in exchange.

The burden of proof lies heavily on those who tear to pieces the whole frame and contexture of their country, that they could find no other way of settling a government fit to obtain its rational ends, except that which they have pursued by means unfavorable to all the present happiness of millions of people, and to the utter ruin of several hundreds of thousands. In their political arrangements, men have no right to put the well-being of the present generation wholly out of the question. Perhaps the only moral trust with any certainty in our hands is the care of our own time. With regard to futurity, we are to treat it like a ward. We are not so to attempt an improvement of his fortune as to put the capital of his estate to any hazard.

It is not worth our while to discuss, like sophisters, whether in no case some evil for the sake of some benefit is to be tolerated. Nothing universal can be rationally affirmed on any moral or any political subject. Pure metaphysical abstraction does not

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belong to these matters. The lines of morality are not like the ideal lines of mathematics. They are broad and deep as well as long. They admit of exceptions; they demand modifications. These exceptions and modifications are not made by the process of logic, but by the rules of prudence. Prudence is not only the first in rank of the virtues political and moral, but she is the director, the regulator, the standard of them all. Metaphysics cannot live without definition; but Prudence is cautious how she defines. Our courts cannot be more fearful in suffering fictitious cases to be brought before them for eliciting their determination on a point of law than prudent moralists are in putting extreme and hazardous cases of conscience upon emergencies not existing. Without attempting, therefore, to define, what never can be defined, the case of a revolution in government, this, I think, may be safely affirmed, — that a sore and pressing evil is to be removed, and that a good, great in its amount and unequivocal in its nature, must be probable almost to certainty, before the inestimable price of our own morals and the well-being of a number of our fellow-citizens is paid for a revolution. If ever we ought to be economists even to parsimony, it is in the voluntary production of evil. Every revolution contains in it something of evil.

It must always be, to those who are the greatest amateurs, or even professors, of revolutions, a matter very hard to prove, that the late French government was so bad that nothing worse in the infinite devices of men could come in its place. They who have brought France to its present condition ought to prove also, by something better than prattling about the Bastile, that their subverted government was as



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incapable as the present certainly is of all improvement and correction. How dare they to say so who have never made that experiment? They are experimenters by their trade. They have made an hundred others, infinitely more hazardous.

The English admirers of the forty-eight thousand republics which form the French federation praise them not for what they are, but for what they are to become. They do not talk as politicians, but as prophets. But in whatever character they choose to found panegyric on prediction, it will be thought a little singular to praise any work, not for its own merits, but for the merits of something else which may succeed to it. When any political institution is praised, in spite of great and prominent faults of every kind, and in all its parts, it must be supposed to have something excellent in its fundamental principles. It must be shown that it is right, though imperfect, — that it is not only by possibility susceptible of improvement, but that it contains in it a principle tending to its melioration.

Before they attempt to show this progression of their favorite work from absolute pravity to finished perfection, they will find themselves engaged in a civil war with those whose cause they maintain. What! alter our sublime Constitution, the glory of France, the envy of the world, the pattern for mankind, the masterpiece of legislation, the collected and concentrated glory of this enlightened age? Have we not produced it ready-made and ready-armed, mature in its birth, a perfect goddess of wisdom and of war, hammered by our blacksmith midwives out of the brain of Jupiter himself? Have we not sworn our devout, profane, believing, infidel people to an

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allegiance to this goddess, even before she had burst the *dura mater*, and as yet existed only in embryo? Have we not solemnly declared this Constitution unalterable by any future legislature? Have we not bound it on posterity forever, though our abettors have declared that no one generation is competent to bind another? Have we not obliged the members of every future Assembly to qualifiy themselves for their seats by swearing to its conservation?

Indeed, the French Constitution always must be (if a change is not made in all their principles and fundamental arrangements) a government wholly by popular representation. It must be this or nothing. The French faction considers as an usurpation, as an atrocious violation of the indefeasible rights of man, every other description of government. Take it, or leave it: there is no medium. Let the irrefragable doctors fight out their own controversy in their own way and with their own weapons; and when they are tired, let them commence a treaty of peace. Let the plenipotentiary sophisters of England settle with the diplomatic sophisters of France in what manner right is to be corrected by an infusion of wrong, and how truth may be rendered more true by a due intermixture of falsehood.

Having sufficiently proved that nothing could make it *generally* improper for Mr. Burke to prove what he had alleged concerning the object of this dispute, I pass to the second question, that is, Whether he was justified in choosing the committee on the Quebec Bill as the field for this discussion? If it were necessary, it might be shown that he was not the first to bring these discussions into Parliament, nor the first

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to renew them in this session. The fact is notorious. As to the Quebec Bill, they were introduced into the debate upon that subject for two plain reasons: First, that, as he thought it *then* not advisable to make the proceedings of the factious societies the subject of a direct motion, he had no other way open to him. Nobody has attempted to show that it was at all admissible into any other business before the House. Here everything was favorable. Here was a bill to form a new Constitution for a French province under English dominion. The question naturally arose, whether we should settle that constitution upon English ideas, or upon French. This furnished an opportunity for examining into the value of the French Constitution, either considered as applicable to colonial government, or in its own nature. The bill, too, was in a committee. By the privilege of speaking as often as he pleased, he hoped in some measure to supply the want of support, which he had but too much reason to apprehend. In a committee it was always in his power to bring the questions from generalities to facts, from declamation to discussion. Some benefit he actually received from this privilege. These are plain, obvious, natural reasons for his conduct. I believe they are the true, and the only true ones.

They who justify the frequent interruptions, which at length wholly disabled him from proceeding, attribute their conduct to a very different interpretation of his motives. They say, that, through corruption, or malice, or folly, he was acting his part in a plot to make his friend Mr. Fox pass for a republican, and thereby to prevent the gracious intentions of his sovereign from taking effect, which at that time had

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begun to disclose themselves in his favor.* This is a pretty serious charge. This, on Mr. Burke's part, would be something more than mistake, something worse than formal irregularity. Any contumely, any outrage, is readily passed over, by the indulgence which we all owe to sudden passion. These things are soon forgot upon occasions in which all men are so apt to forget themselves. Deliberate injuries, to a degree, must be remembered, because they require deliberate precautions to be secured against their return.

I am authorized to say for Mr. Burke, that he

* To explain this, it will be necessary to advert to a paragraph which appeared in a paper in the minority interest some time before this debate. "A very dark intrigue has lately been discovered, the authors of which are well known to us; but until the glorious day shall come when it will not be a LIBEL to tell the TRUTH, we must not be so regardless of our own safety as to publish their names. We will, however, state the fact, leaving it to the ingenuity of our readers to discover what we dare not publish.

"Since the business of the armament against Russia has been under discussion, a great personage has been heard to say, 'that he was not so wedded to Mr. PITT as not to be very willing to give his confidence to Mr. FOX, if the latter should be able, in a crisis like the present, to conduct the government of the country with greater advantage to the public.'

"This patriotic declaration immediately alarmed the swarm of courtly insects that live only in the sunshine of ministerial favor. It was thought to be the forerunner of the dismission of Mr. Pitt, and every engine was set at work for the purpose of preventing such an event. The principal engine employed on this occasion was CALUMNY. It was whispered in the ear of a great personage, that Mr. FOX was the last man in England to be trusted by a KING, because he was by PRINCIPLE a REPUBLICAN, and consequently an enemy to MONARCHY.

"In the discussion of the Quebec Bill which stood for yesterday, it was the intention of some persons to connect with this subject the

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considers that cause assigned for the outrage offered to him as ten times worse than the outrage itself. There is such a strange confusion of ideas on this subject, that it is far more difficult to understand the nature of the charge than to refute it when understood. Mr. Fox's friends were, it seems, seized with a sudden panic terror lest he should pass for a republican. I do not think they had any ground for this apprehension. But let us admit they had. What was there in the Quebec Bill, rather than in any other, which could subject him or them to that imputation? Nothing in a discussion of the French Constitution, which might arise on the Quebec Bill,

French Revolution, in hopes that Mr. Fox would be warmed by a collision with Mr. Burke, and induced to defend that Revolution, in which so much power was taken from, and so little left in the crown.

"Had Mr. Fox fallen into the snare, his speech on the occasion would have been laid before a great personage, as a proof that a man who could defend such a revolution might be a very good republican, but could not possibly be a friend to monarchy.

"But those who laid the snare were disappointed; for Mr. Fox, in the short conversation which took place yesterday in the House of Commons, said, that he confessedly had thought favorably of the French Revolution, but that most certainly he never had, either in Parliament or out of Parliament, professed or defended republican principles." — *Argus*, April 22d, 1791.

Mr. Burke cannot answer for the truth nor prove the falsehood of the story given by the friends of the party in this paper. He only knows that an opinion of its being well or ill authenticated had no influence on his conduct. He meant only, to the best of his power, to guard the public against the ill designs of factions out of doors. What Mr. Burke did in Parliament could hardly have been intended to draw Mr. Fox into any declarations unfavorable to his principles, since (by the account of those who are his friends) he had long before effectually prevented the success of any such scandalous designs. Mr. Fox's friends have themselves done away that imputation on Mr. Burke.

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could tend to make Mr. Fox pass for a republican, except he should take occasion to extol that state of things in France which affects to be a republic or a confederacy of republics. If such an encomium could make any unfavorable impression on the king's mind, surely his voluntary panegyrics on that event, not so much introduced as intruded into other debates, with which they had little relation, must have produced that effect with much more certainty and much greater force. The Quebec Bill, at worst, was only one of those opportunities carefully sought and industriously improved by himself. Mr. Sheridan had already brought forth a panegyric on the French system in a still higher strain, with full as little demand from the nature of the business before the House, in a speech too good to be speedily forgotten. Mr. Fox followed him without any direct call from the subject-matter, and upon the same ground. To canvass the merits of the French Constitution on the Quebec Bill could not draw forth any opinions which were not brought forward before, with no small ostentation, and with very little of necessity, or perhaps of propriety. What mode or what time of discussing the conduct of the French faction in England would not equally tend to kindle this enthusiasm, and afford those occasions for panegyric, which, far from shunning, Mr. Fox has always industriously sought? He himself said, very truly, in the debate, that no artifices were necessary to draw from him his opinions upon that subject. But to fall upon Mr. Burke for making an use, at worst not more irregular, of the same liberty, is tantamount to a plain declaration that the topic of France is *tabooed* or forbidden ground to Mr. Burke, and to Mr. Burke alone. But

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surely Mr. Fox is not a republican; and what should hinder him, when such a discussion came on, from clearing himself unequivocally (as his friends say he had done near a fortnight before) of all such imputations? Instead of being a disadvantage to him, he would have defeated all his enemies, and Mr. Burke, since he has thought proper to reckon him amongst them.

But it seems some newspaper or other had imputed to him republican principles, on occasion of his conduct upon the Quebec Bill. Supposing Mr. Burke to have seen these newspapers, (which is to suppose more than I believe to be true,) I would ask, When did the newspapers forbear to charge Mr Fox, or Mr. Burke himself, with republican principles, or any other principles which they thought could render both of them odious, sometimes to one description of people, sometimes to another? Mr. Burke, since the publication of his pamphlet, has been a thousand times charged in the newspapers with holding despotic principles. He could not enjoy one moment of domestic quiet, he could not perform the least particle of public duty, if he did not altogether disregard the language of those libels. But, however his sensibility might be affected by such abuse, it would in *him* have been thought a most ridiculous reason for shutting up the mouths of Mr. Fox or Mr. Sheridan, so as to prevent their delivering their sentiments of the French Revolution, that, forsooth, "the newspapers had lately charged Mr. Burke with being an enemy to liberty."

I allow that those gentlemen have privileges to which Mr. Burke has no claim. But their friends ought to plead those privileges, and not to assign

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bad reasons, on the principle of what is fair between man and man, and thereby to put themselves on a level with those who can so easily refute them. Let them say at once that his reputation is of no value, and that he has no call to assert it, — but that theirs is of infinite concern to the party and the public, and to that consideration he ought to sacrifice all his opinions and all his feelings.

In that language I should hear a style correspondent to the proceeding, — lofty, indeed, but plain and consistent. Admit, however, for a moment, and merely for argument, that this gentleman had as good a right to continue as they had to begin these discussions; in candor and equity they must allow that their voluntary descant in praise of the French Constitution was as much an oblique attack on Mr. Burke as Mr. Burke's inquiry into the foundation of this encomium could possibly be construed into an imputation upon them. They well knew that he felt like other men; and of course he would think it mean and unworthy to decline asserting in his place, and in the front of able adversaries, the principles of what he had penned in his closet and without an opponent before him. They could not but be convinced that declamations of this kind would rouse him, — that he must think, coming from men of their calibre, they were highly mischievous, — that they gave countenance to bad men and bad designs; and though he was aware that the handling such matters in Parliament was delicate, yet he was a man very likely, whenever, much against his will, they were brought there, to resolve that there they should be thoroughly sifted. Mr. Fox, early in the preceding session, had public notice from Mr. Burke of the light

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in which he considered every attempt to introduce the example of France into the politics of this country, and of his resolution to break with his best friends and to join with his worst enemies to prevent it. He hoped that no such necessity would ever exist; but in case it should, his determination was made. The party knew perfectly that he would at least defend himself. He never intended to attack Mr. Fox, nor did he attack him directly or indirectly. His speech kept to its matter. No personality was employed, even in the remotest allusion. He never did impute to that gentleman any republican principles, or any other bad principles or bad conduct whatsoever. It was far from his words; it was far from his heart. It must be remembered, that, notwithstanding the attempt of Mr. Fox to fix on Mr. Burke an unjustifiable change of opinion, and the foul crime of teaching a set of maxims to a boy, and afterwards, when these maxims became adult in his mature age, of abandoning both the disciple and the doctrine, Mr. Burke never attempted, in any one particular, either to criminate or to recriminate. It may be said that he had nothing of the kind in his power. This he does not controvert. He certainly had it not in his inclination. That gentleman had as little ground for the charges which he was so easily provoked to make upon him.

The gentlemen of the party (I include Mr. Fox) have been kind enough to consider the dispute brought on by this business, and the consequent separation of Mr. Burke from their corps, as a matter of regret and uneasiness. I cannot be of opinion that by his exclusion they have had any loss at all. A man whose opinions are so very adverse to theirs,

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adverse, as it was expressed, "as pole to pole," so mischievously as well as so directly adverse that they found themselves under the necessity of solemnly disclaiming them in full Parliament, — such a man must ever be to them a most unseemly and unprofitable incumbrance. A coöperation with him could only serve to embarrass them in all their councils. They have besides publicly represented him as a man capable of abusing the docility and confidence of ingenuous youth, — and, for a bad reason or for no reason, of disgracing his whole public life by a scandalous contradiction of every one of his own acts, writings, and declarations. If these charges be true, their exclusion of such a person from their body is a circumstance which does equal honor to their justice and their prudence. If they express a degree of sensibility in being obliged to execute this wise and just sentence, from a consideration of some amiable or some pleasant qualities which in his private life their former friend may happen to possess, they add to the praise of their wisdom and firmness the merit of great tenderness of heart and humanity of disposition.

On their ideas, the new Whig party have, in my opinion, acted as became them. The author of the Reflections, however, on his part, cannot, without great shame to himself, and without entailing everlasting disgrace on his posterity, admit the truth or justice of the charges which have been made upon him, or allow that he has in those Reflections discovered any principles to which honest men are bound to declare, not a shade or two of dissent, but a total, fundamental opposition. He must believe, if he does not mean wilfully to abandon his

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cause and his reputation, that principles fundamentally at variance with those of his book are fundamentally false. What those principles, the antipodes to his, really are, he can only discover from their contrariety. He is very unwilling to suppose that the doctrines of some books lately circulated are the principles of the party; though, from the vehement declarations against his opinions, he is at some loss how to judge otherwise.

For the present, my plan does not render it necessary to say anything further concerning the merits either of the one set of opinions or the other. The author would have discussed the merits of both in his place, but he was not permitted to do so.

I pass to the next head of charge, — Mr. Burke's inconsistency. It is certainly a great aggravation of his fault in embracing false opinions, that in doing so he is not supposed to fill up a void, but that he is guilty of a dereliction of opinions that are true and laudable. This is the great gist of the charge against him. It is not so much that he is wrong in his book (that, however, is alleged also) as that he has therein belied his whole life. I believe, if he could venture to value himself upon anything, it is on the virtue of consistency that he would value himself the most. Strip him of this, and you leave him naked indeed.

In the case of any man who had written something, and spoken a great deal, upon very multifarious matter, during upwards of twenty-five years' public service, and in as great a variety of important events as perhaps have ever happened in the same number of years, it would appear a little hard, in order to charge such a man with inconsistency, to see collected by his

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friend a sort of digest of his sayings, even to such as were merely sportive and jocular. This digest, however, has been made, with equal pains and partiality, and without bringing out those passages of his writings which might tend to show with what restrictions any expressions quoted from him ought to have been understood. From a great statesman he did not quite expect this mode of inquisition. If it only appeared in the works of common pamphleteers, Mr. Burke might safely trust to his reputation. When thus urged, he ought, perhaps, to do a little more. It shall be as little as possible; for I hope not much is wanting. To be totally silent on his charges would not be respectful to Mr. Fox. Accusations sometimes derive a weight from the persons who make them to which they are not entitled from their matter.

He who thinks that the British Constitution ought to consist of the three members, of three very different natures, of which it does actually consist, and thinks it his duty to preserve each of those members in its proper place and with its proper proportion of power, must (as each shall happen to be attacked) vindicate the three several parts on the several principles peculiarly belonging to them. He cannot assert the democratic part on the principles on which monarchy is supported, nor can he support monarchy on the principles of democracy, nor can he maintain aristocracy on the grounds of the one or of the other or of both. All these he must support on grounds that are totally different, though practically they may be, and happily with us they are, brought into one harmonious body. A man could not be consistent in defending such various, and, at first view, discordant, parts of a mixed

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Constitution, without that sort of inconsistency with which Mr. Burke stands charged.

As any one of the great members of this Constitution happens to be endangered, he that is a friend to all of them chooses and presses the topics necessary for the support of the part attacked, with all the strength, the earnestness, the vehemence, with all the power of stating, of argument, and of coloring, which he happens to possess, and which the case demands. He is not to embarrass the minds of his hearers, or to incumber or overlay his speech, by bringing into view at once (as if he were reading an academic lecture) all that may and ought, when a just occasion presents itself, to be said in favor of the other members. At that time they are out of the court; there is no question concerning them. Whilst he opposes his defence on the part where the attack is made, he presumes that for his regard to the just rights of all the rest he has credit in every candid mind. He ought not to apprehend that his raising fences about popular privileges this day will infer that he ought on the next to concur with those who would pull down the throne; because on the next he defends the throne, it ought not to be supposed that he has abandoned the rights of the people.

A man, who, among various objects of his equal regard, is secure of some, and full of anxiety for the fate of others, is apt to go to much greater lengths in his preference of the objects of his immediate solicitude than Mr. Burke has ever done. A man so circumstanced often seems to undervalue, to vilify, almost to reprobate and disown, those that are out of danger. This is the voice of Nature and truth, and not of inconsistency and false pretence. The

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danger of anything very dear to us removes, for the moment, every other affection from the mind. When Priam had his whole thoughts employed on the body of his Hector, he repels with indignation, and drives from him with a thousand reproaches, his surviving sons, who with an officious piety crowded about him to offer their assistance. A good critic (there is no better than Mr. Fox) would say that this is a master-stroke, and marks a deep understanding of Nature in the father of poetry. He would despise a Zoïlus who would conclude from this passage that Homer meant to represent this man of affliction as hating or being indifferent and cold in his affections to the poor relics of his house, or that he preferred a dead carcass to his living children.

Mr. Burke does not stand in need of an allowance of this kind, which, if he did, by candid critics ought to be granted to him. If the principles of a mixed Constitution be admitted, he wants no more to justify to consistency everything he has said and done during the course of a political life just touching to its close. I believe that gentleman has kept himself more clear of running into the fashion of wild, visionary theories, or of seeking popularity through every means, than any man perhaps ever did in the same situation.

He was the first man who, on the hustings, at a popular election, rejected the authority of instructions from constituents, — or who, in any place, has argued so fully against it. Perhaps the discredit into which that doctrine of compulsive instructions under our Constitution is since fallen may be due in a great degree to his opposing himself to it in that manner and on that occasion.

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The reforms in representation, and the bills for shortening the duration of Parliaments, he uniformly and steadily opposed for many years together, in contradiction to many of his best friends. These friends, however, in his better days, when they had more to hope from his service and more to fear from his loss than now they have, never chose to find any inconsistency between his acts and expressions in favor of liberty and his votes on those questions. But there is a time for all things.

Against the opinion of many friends, even against the solicitation of some of them, he opposed those of the Church clergy who had petitioned the House of Commons to be discharged from the subscription. Although he supported the Dissenters in their petition for the indulgence which he had refused to the clergy of the Established Church, in this, as he was not guilty of it, so he was not reproached with inconsistency. At the same time he promoted, and against the wish of several, the clause that gave the Dissenting teachers another subscription in the place of that which was then taken away. Neither at that time was the reproach of inconsistency brought against him. People could then distinguish between a difference in conduct under a variation of circumstances and an inconsistency in principle. It was not then thought necessary to be freed of him as of an incumbrance.

These instances, a few among many, are produced as an answer to the insinuation of his having pursued high popular courses which in his late book he has abandoned. Perhaps in his whole life he has never omitted a fair occasion, with whatever risk to him of obloquy as an individual, with what-

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ever detriment to his interest as a member of opposition, to assert the very same doctrines which appear in that book. He told the House, upon an important occasion, and pretty early in his service, that, "being warned by the ill effect of a contrary procedure in great examples, he had taken his ideas of liberty very low in order that they should stick to him and that he might stick to them to the end of his life."

At popular elections the most rigorous casuists will remit a little of their severity. They will allow to a candidate some unqualified effusions in favor of freedom, without binding him to adhere to them in their utmost extent. But Mr. Burke put a more strict rule upon himself than most moralists would put upon others. At his first offering himself to Bristol, where he was almost sure he should not obtain, on that or any occasion, a single Tory vote, (in fact, he did obtain but one,) and rested wholly on the Whig interest, he thought himself bound to tell to the electors, both before and after his election, exactly what a representative they had to expect in him.

"The *distinguishing* part of our Constitution," he said, "is its liberty. To preserve that liberty inviolate is the *peculiar* duty and *proper* trust of a member of the House of Commons. But the liberty, the *only* liberty, I mean is a liberty connected with *order;* and that not only exists *with* order and virtue, but cannot exist at all *without* them. It inheres in good and steady government, as in *its substance and vital principle.*"

The liberty to which Mr. Burke declared himself attached is not French liberty. That liberty is nothing but the rein given to vice and confusion. Mr. Burke was then, as he was at the writing of his Re-



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flections, awfully impressed with the difficulties arising from the complex state of our Constitution and our empire, and that it might require in different emergencies different sorts of exertions, and the successive call upon all the various principles which uphold and justify it. This will appear from what he said at the close of the poll.

"To be a good member of Parliament is, let me tell you, no easy task, — especially at this time, when there is so strong a disposition to run into the perilous extremes of *servile* compliance or *wild popularity*. To unite circumspection with vigor is absolutely necessary, but it is extremely difficult. We are now members for a rich commercial *city;* this city, however, is but a part of a rich commercial *nation*, the interests of which are *various*, *multiform*, *and intricate*. We are members for that great *nation*, which, however, is itself but part of a great *empire*, extended by our virtue and our fortune to the farthest limits of the East and of the West. *All* these widespread interests must be *considered*, — must be *compared*, — must be *reconciled*, if possible. We are members for a *free* country; and surely we all know that the machine of a free constitution is no *simple* thing, but as *intricate* and as *delicate* as it is valuable. We are members in a *great and ancient* MONARCHY; *and we must preserve religiously the true, legal rights of the sovereign, which form the key-stone that binds together the noble and well-constructed arch of our empire and our Constitution.* A constitution made up of *balanced powers* must ever be a critical thing. As such I mean to touch that part of it which comes within my reach."

In this manner Mr. Burke spoke to his constitu-

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ents seventeen years ago. He spoke, not like a partisan of one particular member of our Constitution, but as a person strongly, and on principle, attached to them all. He thought these great and essential members ought to be preserved, and preserved each in its place, — and that the monarchy ought not only to be secured in its peculiar existence, but in its preeminence too, as the presiding and connecting principle of the whole. Let it be considered whether the language of his book, printed in 1790, differs from his speech at Bristol in 1774.

With equal justice his opinions on the American war are introduced, as if in his late work he had belied his conduct and opinions in the debates which arose upon that great event. On the American war he never had any opinions which he has seen occasion to retract, or which he has ever retracted. He, indeed, differs essentially from Mr. Fox as to the cause of that war. Mr. Fox has been pleased to say that the Americans rebelled "because they thought they had not enjoyed liberty enough." This cause of the war, *from him*, I have heard of for the first time. It is true that those who stimulated the nation to that measure did frequently urge this topic. They contended that the Americans had from the beginning aimed at independence, — that from the beginning they meant wholly to throw off the authority of the crown, and to break their connection with the parent country. This Mr. Burke never believed. When he moved his second conciliatory proposition, in the year 1776, he entered into the discussion of this point at very great length, and, from nine several heads of presumption, endeavored to prove the charge upon that people not to be true.

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If the principles of all he has said and wrote on the occasion be viewed with common temper, the gentlemen of the party will perceive, that, on a supposition that the Americans had rebelled merely in order to enlarge their liberty, Mr. Burke would have thought very differently of the American cause. What might have been in the secret thoughts of some of their leaders it is impossible to say. As far as a man so locked up as Dr. Franklin could be expected to communicate his ideas, I believe he opened them to Mr. Burke. It was, I think, the very day before he set out for America that a very long conversation passed between them, and with a greater air of openness on the Doctor's side than Mr. Burke had observed in him before. In this discourse Dr. Franklin lamented, and with apparent sincerity, the separation which he feared was inevitable between Great Britain and her colonies. He certainly spoke of it as an event which gave him the greatest concern. America, he said, would never again see such happy days as she had passed under the protection of England. He observed, that ours was the only instance of a great empire in which the most distant parts and members had been as well governed as the metropolis and its vicinage, but that the Americans were going to lose the means which secured to them this rare and precious advantage. The question with them was not, whether they were to remain as they had been before the troubles, — for better, he allowed, they could not hope to be, — but whether they were to give up so happy a situation without a struggle. Mr. Burke had several other conversations with him about that time, in none of which, soured and exasperated as his mind certainly was, did he discover any other wish

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in favor of America than for a security to its *ancient* condition. Mr. Burke's conversation with other Americans was large, indeed, and his inquiries extensive and diligent. Trusting to the result of all these means of information, but trusting much more in the public presumptive indications I have just referred to, and to the reiterated solemn declarations of their Assemblies, he always firmly believed that they were purely on the defensive in that rebellion. He considered the Americans as standing at that time, and in that controversy, in the same relation to England as England did to King James the Second in 1688. He believed that they had taken up arms from one motive only: that is, our attempting to tax them without their consent, — to tax them for the purposes of maintaining civil and military establishments. If this attempt of ours could have been practically established, he thought, with them, that their Assemblies would become totally useless, — that, under the system of policy which was then pursued, the Americans could have no sort of security for their laws or liberties, or for any part of them, — and that the very circumstance of *our* freedom would have augmented the weight of *their* slavery.

Considering the Americans on that defensive footing, he thought Great Britain ought instantly to have closed with them by the repeal of the taxing act. He was of opinion that our general rights over that country would have been preserved by this timely concession.* When, instead of this, a Boston Port Bill, a Massachusetts Charter Bill, a Fishery Bill, an Intercourse Bill, I know not how many hostile bills, rushed out like so many tempests from all points of

* See his speech on American Taxation, the 19th of April, 1774.

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the compass, and were accompanied first with great fleets and armies of English, and followed afterwards with great bodies of foreign troops, he thought that their cause grew daily better, because daily more defensive, — and that ours, because daily more offensive, grew daily worse. He therefore, in two motions, in two successive years, proposed in Parliament many concessions beyond what he had reason to think in the beginning of the troubles would ever be seriously demanded.

So circumstanced, he certainly never could and never did wish the colonists to be subdued by arms. He was fully persuaded, that, if such should be the event, they must be held in that subdued state by a great body of standing forces, and perhaps of foreign forces. He was strongly of opinion that such armies, first victorious over Englishmen, in a conflict for English constitutional rights and privileges, and afterwards habituated (though in America) to keep an English people in a state of abject subjection, would prove fatal in the end to the liberties of England itself; that in the mean time this military system would lie as an oppressive burden upon the national finances; that it would constantly breed and feed new discussions, full of heat and acrimony, leading possibly to a new series of wars; and that foreign powers, whilst we continued in a state at once burdened and distracted, must at length obtain a decided superiority over us. On what part of his late publication, or on what expression that might have escaped him in that work, is any man authorized to charge Mr. Burke with a contradiction to the line of his conduct and to the current of his doctrines on the American war? The pamphlet is in the hands of

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his accusers: let them point out the passage, if they can.

Indeed, the author has been well sifted and scrutinized by his friends. He is even called to an account for every jocular and light expression. A ludicrous picture which he made with regard to a passage in the speech of a late minister * has been brought up against him. That passage contained a lamentation for the loss of monarchy to the Americans, after they had separated from Great Britain. He thought it to be unseasonable, ill-judged, and ill-sorted with the circumstances of all the parties. Mr. Burke, it seems, considered it ridiculous to lament the loss of some monarch or other to a rebel people, at the moment they had forever quitted their allegiance to theirs and our sovereign, at the time when they had broken off all connection with this nation and had allied themselves with its enemies. He certainly must have thought it open to ridicule; and now that it is recalled to his memory, (he had, I believe, wholly forgotten the circumstance,) he recollects that he did treat it with some levity. But is it a fair inference from a jest on this unseasonable lamentation, that he was then an enemy to monarchy, either in this or in any other country? The contrary perhaps ought to be inferred,—if anything at all can be argued from pleasantries good or bad. Is it for this reason, or for anything he has said or done relative to the American war, that he is to enter into an alliance offensive and defensive with every rebellion, in every country, under every circumstance, and raised upon whatever pretence? Is it because he did not wish the Americans to be subdued by

* Lord Lansdowne.

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arms, that he must be inconsistent with himself, if he reprobates the conduct of those societies in England, who, alleging no one act of tyranny or oppression, and complaining of no hostile attempt against our ancient laws, rights, and usages, are now endeavoring to work the destruction of the crown of this kingdom, and the whole of its Constitution? Is he obliged, from the concessions he wished to be made to the colonies, to keep any terms with those clubs and federations who hold out to us, as a pattern for imitation, the proceedings in France, in which a king, who had voluntarily and formally divested himself of the right of taxation, and of all other species of arbitrary power, has been dethroned? Is it because Mr. Burke wished to have America rather conciliated than vanquished, that he must wish well to the army of republics which are set up in France, — a country wherein not the people, but the monarch, was wholly on the defensive, (a poor, indeed, and feeble defensive,) to preserve *some fragments* of the royal authority against a determined and desperate body of conspirators, whose object it was, with whatever certainty of crimes, with whatever hazard of war, and every other species of calamity, to annihilate the *whole* of that authority, to level all ranks, orders, and distinctions in the state, and utterly to destroy property, not more by their acts than in their principles?

Mr. Burke has been also reproached with an inconsistency between his late writings and his former conduct, because he had proposed in Parliament several economical, leading to several constitutional reforms. Mr. Burke thought, with a majority of the House of Commons, that the influence of the crown at one time was too great; but after his Majesty

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had, by a gracious message, and several subsequent acts of Parliament, reduced it to a standard which satisfied Mr. Fox himself, and, apparently at least, contented whoever wished to go farthest in that reduction, is Mr. Burke to allow that it would be right for us to proceed to indefinite lengths upon that subject? that it would therefore be justifiable in a people owing allegiance to a monarchy, and professing to maintain it, not to *reduce*, but wholly to *take away all* prerogative and *all* influence whatsoever? Must his having made, in virtue of a plan of economical regulation, a reduction of the influence of the crown compel him to allow that it would be right in the French or in us to bring a king to so abject a state as in function not to be so respectable as an undersheriff, but in person not to differ from the condition of a mere prisoner? One would think that such a thing as a medium had never been heard of in the moral world.

This mode of arguing from your having done *any* thing in a certain line to the necessity of doing *every* thing has political consequences of other moment than those of a logical fallacy. If no man can propose any diminution or modification of an invidious or dangerous power or influence in government, without entitling friends turned into adversaries to argue him into the destruction of all prerogative, and to a spoliation of the whole patronage of royalty, I do not know what can more effectually deter persons of sober minds from engaging in any reform, nor how the worst enemies to the liberty of the subject could contrive any method more fit to bring all correctives on the power of the crown into suspicion and disrepute.

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If, say his accusers, the dread of too great influence in the crown of Great Britain could justify the degree of reform which he adopted, the dread of a return under the despotism of a monarchy might justify the people of France in going much further, and reducing monarchy to its present nothing. — Mr. Burke does not allow that a sufficient argument *ad hominem* is inferable from these premises. If the horror of the excesses of an absolute monarchy furnishes a reason for abolishing it, no monarchy once absolute (all have been so at one period or other) could ever be limited. It must be destroyed; otherwise no way could be found to quiet the fears of those who were formerly subjected to that sway. But the principle of Mr. Burke's proceeding ought to lead him to a very different conclusion, — to this conclusion, — that a monarchy is a thing perfectly susceptible of reform, perfectly susceptible of a balance of power, and that, when reformed and balanced, for a great country it is the best of all governments. The example of our country might have led France, as it has led him, to perceive that monarchy is not only reconcilable to liberty, but that it may be rendered a great and stable security to its perpetual enjoyment. No correctives which he proposed to the power of the crown could lead him to approve of a plan of a republic (if so it may be reputed) which has no correctives, and which he believes to be incapable of admitting any. No principle of Mr. Burke's conduct or writings obliged him from consistency to become an advocate for an exchange of mischiefs; no principle of his could compel him to justify the setting up in the place of a mitigated monarchy a new and far more despotic power, under which there is no trace

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of liberty, except what appears in confusion and in crime.

Mr. Burke does not admit that the faction predominant in France have abolished their monarchy, and the orders of their state, from any dread of arbitrary power that lay heavy on the minds of the people. It is not very long since he has been in that country. Whilst there he conversed with many descriptions of its inhabitants. A few persons of rank did, he allows, discover strong and manifest tokens of such a spirit of liberty as might be expected one day to break all bounds. Such gentlemen have since had more reason to repent of their want of foresight than I hope any of the same class will ever have in this country. But this spirit was far from general, even amongst the gentlemen. As to the lower orders, and those little above them, in whose name the present powers domineer, they were far from discovering any sort of dissatisfaction with the power and prerogatives of the crown. That vain people were rather proud of them: they rather despised the English for not having a monarch possessed of such high and perfect authority. *They* had felt nothing from *lettres de cachet.* The Bastile could inspire no horrors into *them.* This was a treat for their betters. It was by art and impulse, it was by the sinister use made of a season of scarcity, it was under an infinitely diversified succession of wicked pretences wholly foreign to the question of monarchy or aristocracy, that this light people were inspired with their present spirit of levelling. Their old vanity was led by art to take another turn: it was dazzled and seduced by military liveries, cockades, and epaulets, until the French populace was led to become the willing, but still the proud and thought-

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less, instrument and victim of another domination. Neither did that people despise or hate or fear their nobility: on the contrary, they valued themselves on the generous qualities which distinguished the chiefs of their nation.

So far as to the attack on Mr. Burke in consequence of his reforms.

To show that he has in his last publication abandoned those principles of liberty which have given energy to his youth, and in spite of his censors will afford repose and consolation to his declining age, those who have thought proper in Parliament to declare against his book ought to have produced something in it which directly or indirectly militates with any rational plan of free government. It is something extraordinary, that they whose memories have so well served them with regard to light and ludicrous expressions, which years had consigned to oblivion, should not have been able to quote a single passage in a piece so lately published, which contradicts anything he has formerly ever said in a style either ludicrous or serious. They quote his former speeches and his former votes, but not one syllable from the book. It is only by a collation of the one with the other that the alleged inconsistency can be established. But as they are unable to cite any such contradictory passage, so neither can they show anything in the general tendency and spirit of the whole work unfavorable to a rational and generous spirit of liberty; unless a warm opposition to the spirit of levelling, to the spirit of impiety, to the spirit of proscription, plunder, murder, and cannibalism, be adverse to the true principles of freedom.

The author of that book is supposed to have passed

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from extreme to extreme; but he has always kept himself in a medium. This charge is not so wonderful. It is in the nature of things, that they who are in the centre of a circle should appear directly opposed to those who view them from any part of the circumference. In that middle point, however, he will still remain, though he may hear people who themselves run beyond Aurora and the Ganges cry out that he is at the extremity of the West.

In the same debate Mr. Burke was represented by Mr. Fox as arguing in a manner which implied that the British Constitution could not be defended, but by abusing all republics ancient and modern. He said nothing to give the least ground for such a censure. He never abused all republics. He has never professed himself a friend or an enemy to republics or to monarchies in the abstract. He thought that the circumstances and habits of every country, which it is always perilous and productive of the greatest calamities to force, are to decide upon the form of its government. There is nothing in his nature, his temper, or his faculties which should make him an enemy to any republic, modern or ancient. Far from it. He has studied the form and spirit of republics very early in life; he has studied them with great attention, and with a mind undisturbed by affection or prejudice. He is, indeed, convinced that the science of government would be poorly cultivated without that study. But the result in his mind from that investigation has been and is, that neither England nor France, without infinite detriment to them, as well in the event as in the experiment, could be brought into a republican form; but that everything republican which can be introduced with safety into either of them must be

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built upon a monarchy,—built upon a real, not a nominal monarchy, *as its essential basis;* that all such institutions, whether aristocratic or democratic, must originate from their crown, and in all their proceedings must refer to it; that by the energy of that mainspring alone those republican parts must be set in action, and from thence must derive their whole legal effect, (as amongst us they actually do,) or the whole will fall into confusion. These republican members have no other point but the crown in which they can possibly unite.

This is the opinion expressed in Mr. Burke's book. He has never varied in that opinion since he came to years of discretion. But surely, if at any time of his life he had entertained other notions, (which, however, he has never held or professed to hold,) the horrible calamities brought upon a great people by the wild attempt to force their country into a republic might be more than sufficient to undeceive his understanding, and to free it forever from such destructive fancies. He is certain that many, even in France, have been made sick of their theories by their very success in realizing them.

To fortify the imputation of a desertion from his principles, his constant attempts to reform abuses have been brought forward. It is true, it has been the business of his strength to reform abuses in government, and his last feeble efforts are employed in a struggle against them. Politically he has lived in that element; politically he will die in it. Before he departs, I will admit for him that he deserves to have all his titles of merit brought forth, as they have been, for grounds of condemnation, if one word justifying or supporting abuses of any sort is to be found in

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that book which has kindled so much indignation in the mind of a great man. On the contrary, it spares no existing abuse. Its very purpose is to make war with abuses, — not, indeed, to make war with the dead, but with those which live, and flourish, and reign.

The *purpose* for which the abuses of government are brought into view forms a very material consideration in the mode of treating them. The complaints of a friend are things very different from the invectives of an enemy. The charge of abuses on the late monarchy of France was not intended to lead to its reformation, but to justify its destruction. They who have raked into all history for the faults of kings, and who have aggravated every fault they have found, have acted consistently, because they acted as enemies. No man can be a friend to a tempered monarchy who bears a decided hatred to monarchy itself. He, who, at the present time, is favorable or even fair to that system, must act towards it as towards a friend with frailties who is under the prosecution of implacable foes. I think it a duty, in that case, not to inflame the public mind against the obnoxious person by any exaggeration of his faults. It is our duty rather to palliate his errors and defects, or to cast them into the shade, and industriously to bring forward any good qualities that he may happen to possess. But when the man is to be amended, and by amendment to be preserved, then the line of duty takes another direction. When his safety is effectually provided for, it then becomes the office of a friend to urge his faults and vices with all the energy of enlightened affection, to paint them in their most vivid colors, and to bring the moral patient to a better habit. Thus I think with regard to individu-

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als; thus I think with regard to ancient and respected governments and orders of men. A spirit of reformation is never more consistent with itself than when it refuses to be rendered the means of destruction.

I suppose that enough is said upon these heads of accusation. One more I had nearly forgotten, but I shall soon dispatch it. The author of the Reflections, in the opening of the last Parliament, entered on the journals of the House of Commons a motion for a remonstrance to the crown, which is substantially a defence of the preceding Parliament, that had been dissolved under displeasure. It is a defence of Mr. Fox. It is a defence of the Whigs. By what connection of argument, by what association of ideas, this apology for Mr. Fox and his party is by him and them brought to criminate his and their apologist, I cannot easily divine. It is true that Mr. Burke received no previous encouragement from Mr. Fox, nor any the least countenance or support, at the time when the motion was made, from him or from any gentleman of the party, — one only excepted, from whose friendship, on that and on other occasions, he derives an honor to which he must be dull indeed to be insensible.* If that remonstrance, therefore, was a false or feeble defence of the measures of the party, they were in no wise affected by it. It stands on the journals. This secures to it a permanence which the author cannot expect to any other work of his. Let it speak for itself to the present age and to all posterity. The party had no concern in it; and it can never be quoted against them. But in the late debate it was produced, not to clear the party from an improper defence in which they had no share, but

* Mr. Windham.

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for the kind purpose of insinuating an inconsistency between the principles of Mr. Burke's defence of the dissolved Parliament and those on which he proceeded in his late Reflections on France.

It requires great ingenuity to make out such a parallel between the two cases as to found a charge of inconsistency in the principles assumed in arguing the one and the other. What relation had Mr. Fox's India Bill to the Constitution of France? What relation had that Constitution to the question of right in an House of Commons to give or to withhold its confidence from ministers, and to state that opinion to the crown? What had this discussion to do with Mr. Burke's idea in 1784 of the ill consequences which must in the end arise to the crown from setting up the commons at large as an opposite interest to the commons in Parliament? What has this discussion to do with a recorded warning to the people of their rashly forming a precipitate judgment against their representatives? What had Mr. Burke's opinion of the danger of introducing new theoretic language, unknown to the records of the kingdom, and calculated to excite vexatious questions, into a Parliamentary proceeding, to do with the French Assembly, which defies all precedent, and places its whole glory in realizing what had been thought the most visionary theories? What had this in common with the abolition of the French monarchy, or with the principles upon which the English Revolution was justified, — a Revolution in which Parliament, in all its acts and all its declarations, religiously adheres to "the form of sound words," without excluding from private discussions such terms of art as may serve to conduct an inquiry for which none but private per-



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sons are responsible? These were the topics of Mr. Burke's proposed remonstrance; all of which topics suppose the existence and mutual relation of our three estates, — as well as the relation of the East India Company to the crown, to Parliament, and to the peculiar laws, rights, and usages of the people of Hindostan. What reference, I say, had these topics to the Constitution of France, in which there is no king, no lords, no commons, no India Company to injure or support, no Indian empire to govern or oppress? What relation had all or any of these, or any question which could arise between the prerogatives of the crown and the privileges of Parliament, with the censure of those factious persons in Great Britain whom Mr. Burke states to be engaged, not in favor of privilege against prerogative, or of prerogative against privilege, but in an open attempt against our crown and our Parliament; against our Constitution in Church and State, against all the parts and orders which compose the one and the other?

No persons were more fiercely active against Mr. Fox, and against the measures of the House of Commons dissolved in 1784, which Mr. Burke defends in that remonstrance, than several of those revolution-makers whom Mr. Burke condemns alike in his remonstrance and in his book. These revolutionists, indeed, may be well thought to vary in their conduct. He is, however, far from accusing them, in this variation, of the smallest degree of inconsistency. He is persuaded that they are totally indifferent at which end they begin the demolition of the Constitution. Some are for commencing their operations with the destruction of the civil powers, in order the better to pull down the ecclesiastical, — some wish to begin

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with the ecclesiastical, in order to facilitate the ruin of the civil; some would destroy the House of Commons through the crown, some the crown through the House of Commons, and some would overturn both the one and the other through what they call the people. But I believe that this injured writer will think it not at all inconsistent with his present duty or with his former life strenuously to oppose all the various partisans of destruction, let them begin where or when or how they will. No man would set his face more determinedly against those who should attempt to deprive them, or any description of men, of the rights they possess. No man would be more steady in preventing them from abusing those rights to the destruction of that happy order under which they enjoy them. As to their title to anything further, it ought to be grounded on the proof they give of the safety with which power may be trusted in their hands. When they attempt without disguise, not to win it from our affections, but to force it from our fears, they show, in the character of their means of obtaining it, the use they would make of their dominion. That writer is too well read in men not to know how often the desire and design of a tyrannic domination lurks in the claim of an extravagant liberty. Perhaps in the beginning it *always* displays itself in that manner. No man has ever affected power which he did not hope from the favor of the existing government in any other mode.

The attacks on the author's consistency relative to France are (however grievous they may be to his feelings) in a great degree external to him and to us, and comparatively of little moment to the people

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of England. The substantial charge upon him is concerning his doctrines relative to the Revolution of 1688. Here it is that they who speak in the name of the party have thought proper to censure him the most loudly and with the greatest asperity. Here they fasten, and, if they are right in their fact, with sufficient judgment in their selection. If he be guilty in this point, he is equally blamable, whether he is consistent or not. If he endeavors to delude his countrymen by a false representation of the spirit of that leading event, and of the true nature and tenure of the government formed in consequence of it, he is deeply responsible, he is an enemy to the free Constitution of the kingdom. But he is not guilty in any sense. I maintain that in his Reflections he has stated the Revolution and the Settlement upon their true principles of legal reason and constitutional policy.

His authorities are the acts and declarations of Parliament, given in their proper words. So far as these go, nothing can be added to what he has quoted. The question is, whether he has understood them rightly. I think they speak plain enough. But we must now see whether he proceeds with other authority than his own constructions, and, if he does, on what sort of authority he proceeds. In this part, his defence will not be made by argument, but by wager of law. He takes his compurgators, his vouchers, his guaranties, along with him. I know that he will not be satisfied with a justification proceeding on general reasons of policy. He must be defended on party grounds, too, or his cause is not so tenable as I wish it to appear. It must be made out for him not only that in his construction of these public acts

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and monuments he conforms himself to the rules of fair, legal, and logical interpretation, but it must be proved that his construction is in perfect harmony with that of the ancient Whigs, to whom, against the sentence of the modern, on his part, I here appeal.

This July it will be twenty-six years* since he became connected with a man whose memory will ever be precious to Englishmen of all parties, as long as the ideas of honor and virtue, public and private, are understood and cherished in this nation. That memory will be kept alive with particular veneration by all rational and honorable Whigs. Mr. Burke entered into a connection with that party through that man, at an age far from raw and immature, — at those years when men are all they are ever likely to become, — when he was in the prime and vigor of his life, — when the powers of his understanding, according to their standard, were at the best, his memory exercised, his judgment formed, and his reading much fresher in the recollection and much readier in the application than now it is. He was at that time as likely as most men to know what were Whig and what were Tory principles. He was in a situation to discern what sort of Whig principles they entertained with whom it was his wish to form an eternal connection. Foolish he would have been at that time of life (more foolish than any man who undertakes a public trust would be thought) to adhere to a cause which he, amongst all those who were engaged in it, had the least sanguine hopes of as a road to power.

There are who remember, that, on the removal of

* July 17th, 1765.

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the Whigs in the year 1766, he was as free to choose another connection as any man in the kingdom. To put himself out of the way of the negotiations which were then carrying on very eagerly and through many channels with the Earl of Chatham, he went to Ireland very soon after the change of ministry, and did not return until the meeting of Parliament. He was at that time free from anything which looked like an engagement. He was further free at the desire of his friends; for, the very day of his return, the Marquis of Rockingham wished him to accept an employment under the new system. He believes he might have had such a situation; but again he cheerfully took his fate with the party.

It would be a serious imputation upon the prudence of my friend, to have made even such trivial sacrifices as it was in his power to make for principles which he did not truly embrace or did not perfectly understand. In either case the folly would have been great. The question now is, whether, when he first practically professed Whig principles, he understood what principles he professed, and whether in his book he has faithfully expressed them.

When he entered into the Whig party, he did not conceive that they pretended to any discoveries. They did not affect to be better Whigs than those were who lived in the days in which principle was put to the test. Some of the Whigs of those days were then living. They were what the Whigs had been at the Revolution, — what they had been during the reign of Queen Anne, — what they had been at the accession of the present royal family.

What they were at those periods is to be seen. It

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rarely happens to a party to have the opportunity of a clear, authentic, recorded declaration of their political tenets upon the subject of a great constitutional event like that of the Revolution. The Whigs had that opportunity, — or to speak more properly, they made it. The impeachment of Dr. Sacheverell was undertaken by a Whig ministry and a Whig House of Commons, and carried on before a prevalent and steady majority of Whig peers. It was carried on for the express purpose of stating the true grounds and principles of the Revolution, — what the Commons emphatically called their *foundation*. It was carried on for the purpose of condemning the principles on which the Revolution was first opposed and afterwards calumniated, in order, by a juridical sentence of the highest authority, to confirm and fix Whig principles, as they had operated both in the resistance to King James and in the subsequent settlement, and to fix them in the extent and with the limitations with which it was meant they should be understood by posterity. The ministers and managers for the Commons were persons who had, many of them, an active share in the Revolution. Most of them had seen it at an age capable of reflection. The grand event, and all the discussions which led to it and followed it, were then alive in the memory and conversation of all men. The managers for the Commons must be supposed to have spoken on that subject the prevalent ideas of the leading party in the Commons, and of the Whig ministry. Undoubtedly they spoke also their own private opinions; and the private opinions of such men are not without weight. They were not *umbratiles doctores*, men who had studied a free Constitution only in its anatomy

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and upon dead systems. They knew it alive and in action.

In this proceeding the Whig principles, as applied to the Revolution and Settlement, are to be found, or they are to be found nowhere. I wish the Whig readers of this Appeal first to turn to Mr. Burke's Reflections, from page 20 to page 50,* and then to attend to the following extracts from the trial of Dr. Sacheverell. After this, they will consider two things: first, whether the doctrine in Mr. Burke's Reflections be consonant to that of the Whigs of that period; and, secondly, whether they choose to abandon the principles which belonged to the progenitors of some of them, and to the predecessors of them all, and to learn new principles of Whiggism, imported from France, and disseminated in this country from Dissenting pulpits, from Federation societies, and from the pamphlets, which (as containing the political creed of those synods) are industriously circulated in all parts of the two kingdoms. This is their affair, and they will make their option.

These new Whigs hold that the sovereignty, whether exercised by one or many, did not only originate *from* the people, (a position not denied nor worth denying or assenting to,) but that in the people the same sovereignty constantly and unalienably resides; that the people may lawfully depose kings, not only for misconduct, but without any misconduct at all; that they may set up any new fashion of government for themselves, or continue without any government, at their pleasure; that the people are essentially their own rule, and their will the measure of their conduct; that the tenure of magistracy is not a proper subject

* Works, Vol. III. pp. 251 – 276, present edition.

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of contract, because magistrates have duties, but no rights; and that, if a contract *de facto* is made with them in one age, allowing that it binds at all, it only binds those who are immediately concerned in it, but does not pass to posterity. These doctrines concerning *the people* (a term which they are far from accurately defining, but by which, from many circumstances, it is plain enough they mean their own faction, if they should grow, by early arming, by treachery, or violence, into the prevailing force) tend, in my opinion, to the utter subversion, not only of all government, in all modes, and to all stable securities to rational freedom, but to all the rules and principles of morality itself.

I assert that the ancient Whigs held doctrines totally different from those I have last mentioned. I assert, that the foundations laid down by the Commons, on the trial of Dr. Sacheverell, for justifying the Revolution of 1688, are the very same laid down in Mr. Burke's Reflections, — that is to say, a breach of the *original contract*, implied and expressed in the Constitution of this country, as a scheme of government fundamentally and inviolably fixed in King, Lords, and Commons; — that the fundamental subversion of this ancient Constitution, by one of its parts, having been attempted, and in effect accomplished, justified the Revolution; — that it was justified *only* upon the *necessity* of the case, as the *only* means left for the recovery of that *ancient* Constitution formed by the *original contract* of the British state, as well as for the future preservation of the *same* government. These are the points to be proved.

A general opening to the charge against Dr. Sacheverell was made by the attorney-general, Sir John

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Montague; but as there is nothing in that opening speech which tends very accurately to settle the principle upon which the Whigs proceeded in the prosecution, (the plan of the speech not requiring it,) I proceed to that of Mr. Lechmere, the manager, who spoke next after him. The following are extracts, given, not in the exact order in which they stand in the printed trial, but in that which is thought most fit to bring the ideas of the Whig Commons distinctly under our view.

*Mr. Lechmere.**

"It becomes an *indispensable* duty upon us, who appear in the name and on the behalf of all the commons of Great Britain, not only to demand your Lordships' justice on such a criminal, [Dr. Sacheverell,] *but clearly and openly to assert our foundations.*"

"The nature of our Constitution is that of a *limited monarchy*, wherein the supreme power is communicated and divided between Queen, Lords, and Commons, though the executive power and administration be wholly in the crown. The terms of such a Constitution do not only suppose, but express, an original contract between the crown and the people, by which that supreme power was (by mutual consent, and not by accident) limited and lodged in more hands than one. And *the uniform preservation of such a Constitution for so many ages, without any fundamental change, demonstrates to your Lordships the continuance of the same contract.*

That the terms of our Constitution imply and express an original contract.

That the contract is mutual consent, and binding at all times upon the parties.

The mixed Constitution uniformly preserved for many ages, and is a proof of the contract.

"The consequences of such a frame of

* State Trials, Vol. V. p. 651.

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government are obvious: That the *laws* are the rule to both, the common measure of the power of the crown and of the obedience of the subject; and if the executive part endeavors the *subversion and total destruction of the government*, the original contract is thereby broke, and the right of allegiance ceases; that part of the government thus *fundamentally* injured hath a right to save or recover *that* Constitution in which it had an original interest."

Laws the common measure to king and subject.

Case of fundamental injury, and breach of original contract.

"*The necessary means* (which is the phrase used by the Commons in their first article) are words made choice of by them *with the greatest caution.* Those means are described (in the preamble to their charge) to be, that glorious enterprise which his late Majesty undertook, with an armed force, to deliver this kingdom from Popery and arbitrary power; the concurrence of many subjects of the realm, who came over with him in that enterprise, and of many others, of *all ranks and orders*, who appeared in arms in many parts of the kingdom in aid of that enterprise.

Words *necessary means* selected with caution.

"These were the *means* that brought about the Revolution; and which the act that passed soon after, *declaring the rights and liberties of the subject, and settling the succession of the crown*, intends, when his late Majesty is therein called *the glorious instrument of delivering the kingdom;* and which the Commons, in the last part of their first article, express by the word *resistance.*

"But the Commons, who will never be unmindful of the *allegiance* of the subjects to the *crown* of this realm, judged it highly incumbent upon them, out of regard to the

Regard of the Commons to their allegiance to the crown, and to the ancient Constitution.

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*safety of her Majesty's person and government, and the ancient and legal Constitution of this kingdom*, to call that resistance the *necessary* means; thereby plainly founding that power, of right and resistance, which was exercised by the people at the time of the happy Revolution, and which the duties of *self-preservation* and religion called them to, *upon the NECESSITY of the case, and at the same time effectually securing her Majesty's government, and the due allegiance of all her subjects.*"

All ages have the same interest in preservation of the contract, and the same Constitution.

"The nature of such an *original contract* of government proves that there is not only a power in the people, who have *inherited its freedom*, to assert their own title to it, but they are bound in duty to transmit the *same* Constitution to their posterity also."

Mr. Lechmere made a second speech. Notwithstanding the clear and satisfactory manner in which he delivered himself in his first, upon this arduous question, he thinks himself bound again distinctly to assert the same foundation, and to justify the Revolution on *the case of necessity only*, upon principles perfectly coinciding with those laid down in Mr. Burke's letter on the French affairs.

*Mr. Lechmere.*

The Commons strictly confine their ideas of a revolution to necessity alone and self-defence.

"Your Lordships were acquainted, in opening the charge, with how *great caution*, and with what unfeigned regard to her Majesty and her government, and to the *duty and allegiance* of her subjects, the Commons made choice of the words *necessary means* to express the resistance that was made use of to bring about the Rev-

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olution, and with the condemning of which the Doctor is charged by this article: not doubting but that the honor and justice of that resistance, *from the necessity of that case, and to which alone we have strictly confined ourselves*, when duly considered, would confirm and strengthen * and be understood to be an effectual security of the allegiance of the subject to the crown of this realm, *in every other case where there is not the same necessity;* and that the right of the people to *self-defence, and preservation of their liberties, by resistance as their last remedy, is the result of a case of such* NECESSITY ONLY, *and by which the* ORIGINAL CONTRACT *between king and people is broke. This was the principle laid down and carried through all that was said with respect to* ALLEGIANCE; *and on* WHICH FOUNDATION, *in the name and on the behalf of all the commons of Great Britain, we assert and justify that resistance by which the late happy Revolution was brought about.*"

* N.B. The remark implies, that allegiance would be insecure without this restriction.

"It appears to your Lordships and the world, that *breaking the original contract between king and people* were the words made choice of by that House of Commons," (the House of Commons which originated the Declaration of Right,) "with the *greatest deliberation and judgment*, and approved of by your Lordships, in that first and fundamental step made towards the *re-establishment of the government*, which had received so great a shock from the evil counsels which had been given to that unfortunate prince."

Sir John Hawles, another of the managers, follows the steps of his brethren, positively affirming the doctrine of non-resistance to government to be the

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general moral, religious, and political rule for the subject, and justifying the Revolution on the same principle with Mr. Burke, — that is, *as an exception from necessity*. Indeed, he carries the doctrine on the general idea of non-resistance much further than Mr. Burke has done, and full as far as it can perhaps be supported by any duty of *perfect obligation*, however noble and heroic it may be in many cases to suffer death rather than disturb the tranquillity of our country.

*Sir John Hawles.**

"Certainly it must be granted, that the doctrine that commands obedience to the supreme power, *though in things contrary to Nature*, even to suffer death, which is the highest injustice that can be done a man, rather than make an opposition to the supreme power [is reasonable†], because the death of one or some few private persons is a less evil than *disturbing the whole government;* that law must needs be understood to forbid the doing or saying anything to disturb the government, the rather because the obeying that law cannot be pretended to be against Nature: and the Doctor's refusing to obey that implicit law is the reason for which he is now prosecuted; though he would have it believed that the reason he is now prosecuted was for the doctrine he asserted of obedience to the supreme power; which he might have preached as long as he had pleased, and the Commons would have taken no offence at it,

* Page 676.

† The words necessary to the completion of the sentence are wanting in the printed trial, — but the construction of the sentence, as well as the foregoing part of the speech, justify the insertion of some such supplemental words as the above.

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if he had stopped there, and not have taken upon him, on that pretence or occasion, to have cast odious colors upon the Revolution."

General Stanhope was among the managers. He begins his speech by a reference to the opinion of his fellow-managers, which he hoped had put beyond all doubt the limits and qualifications that the Commons had placed to their doctrines concerning the Revolution; yet, not satisfied with this general reference, after condemning the principle of non-resistance, which is asserted in the sermon *without any exception*, and stating, that, under the specious pretence of preaching a peaceable doctrine, Sacheverell and the Jacobites meant, in reality, to excite a rebellion in favor of the Pretender, he explicitly limits his ideas of resistance with the boundaries laid down by his colleagues, and by Mr. Burke.

*General Stanhope.*

"The Constitution of England is founded upon *compact;* and the subjects of this kingdom have, in their several public and private capacities, *as* legal a title to what are their rights by law *as* a prince to the possession of his crown. Rights of the subject and the crown equally legal.

"Your Lordships, and most that hear me, are witnesses, and must remember the *necessities* of those times which brought about the Revolution: that *no other* remedy was left to preserve our religion and liberties; *that resistance was* necessary, *and consequently just.*" Justice of resistance founded on necessity.

"Had the Doctor, in the remaining part of his sermon, preached up peace, quietness, and the like,

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and shown how happy we are under her Majesty's administration, and exhorted obedience to it, he had never been called to answer a charge at your Lordships' bar. But the tenor of all his subsequent discourse is one continued invective against the government."

Mr. Walpole (afterwards Sir Robert) was one of the managers on this occasion. He was an honorable man and a sound Whig. He was not, as the Jacobites and discontented Whigs of his time have represented him, and as ill-informed people still represent him, a prodigal and corrupt minister. They charged him, in their libels and seditious conversations, as having first reduced corruption to a system. Such was their cant. But he was far from governing by corruption. He governed by party attachments. The charge of systematic corruption is less applicable to him, perhaps, than to any minister who ever served the crown for so great a length of time. He gained over very few from the opposition. Without being a genius of the first class, he was an intelligent, prudent, and safe minister. He loved peace, and he helped to communicate the same disposition to nations at least as warlike and restless as that in which he had the chief direction of affairs. Though he served a master who was fond of martial fame, he kept all the establishments very low. The land tax continued at two shillings in the pound for the greater part of his administration. The other impositions were moderate. The profound repose, the equal liberty, the firm protection of just laws, during the long period of his power, were the principal causes of that prosperity which afterwards took such rapid strides

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towards perfection, and which furnished to this nation ability to acquire the military glory which it has since obtained, as well as to bear the burdens, the cause and consequence of that warlike reputation. With many virtues, public and private, he had his faults; but his faults were superficial. A careless, coarse, and over-familiar style of discourse, without sufficient regard to persons or occasions, and an almost total want of political decorum, were the errors by which he was most hurt in the public opinion, and those through which his enemies obtained the greatest advantage over him. But justice must be done. The prudence, steadiness, and vigilance of that man, joined to the greatest possible lenity in his character and his politics, preserved the crown to this royal family, and, with it, their laws and liberties to this country. Walpole had no other plan of defence for the Revolution than that of the other managers, and of Mr. Burke; and he gives full as little countenance to any arbitrary attempts, on the part of restless and factious men, for framing new governments according to their fancies.

*Mr. Walpole.*

Case of resistance out of the law, and the highest offence.

"Resistance is nowhere enacted to be legal, but subjected, by all the laws now in being, to the greatest penalties. 'T is what is not, cannot, nor ought ever to be described, or affirmed in any positive law, to be excusable; when, and upon what *never-to-be-expected* occasions, it may be exercised, no man can foresee; *and ought never to be thought of, but when an utter subversion of the laws of the realm threatens the whole frame of a Constitution, and no redress can otherwise*



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*be hoped for.* It therefore does and *ought forever* to stand, in the eye and letter of the law, as the *highest offence.* But because any man, or party of men, may not, out of folly or wantonness, commit treason, or make their own discontents, ill principles, or disguised affections to another interest, a pretence to resist the supreme power, will it follow from thence that the *utmost necessity* ought not to engage a nation *in its own defence for the preservation of the whole?*"

Utmost necessity justifies it.

Sir Joseph Jekyl was, as I have always heard and believed, as nearly as any individual could be, the very standard of Whig principles in his age. He was a learned and an able man; full of honor, integrity, and public spirit; no lover of innovation; nor disposed to change his solid principles for the giddy fashion of the hour. Let us hear this Whig.

*Sir Joseph Jekyl.*

"In clearing up and vindicating the justice of the Revolution, which was the second thing proposed, it is far from the intent of the Commons to state the *limits and bounds* of the subject's submission to the sovereign. That which the law hath been wisely silent in, the Commons desire to be silent in too; nor will they put *any* case of a justifiable resistance, but that of the Revolution only: and *they persuade themselves that the doing right to that resistance will be so far from promoting popular license or confusion, that it will have a contrary effect, and be a means of settling men's minds in the love of and veneration for the laws;* to rescue and secure which was the *ONLY aim and intention of those concerned in that resistance.*"

Commons do not state the limits of submission.

To secure the laws, the only aim of the Revolution.

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Dr. Sacheverell's counsel defended him on this principle, namely, — that, whilst he enforced from the pulpit the general doctrine of non-resistance, he was not obliged to take notice of the theoretic limits which ought to modify that doctrine. Sir Joseph Jekyl, in his reply, whilst he controverts its application to the Doctor's defence, fully admits and even enforces the principle itself, and supports the Revolution of 1688, as he and all the managers had done before, exactly upon the same grounds on which Mr. Burke has built, in his Reflections on the French Revolution.

*Sir Joseph Jekyl.*

"If the Doctor had pretended to have stated the particular bounds and limits of non-resistance, and told the people in what cases they might or might not resist, *he would have been much to blame;* nor was one word said in the articles, or by the managers, as if that was expected from him; but, *on the contrary, we have insisted that in NO case can resistance be lawful, but in case of* EXTREME NECESSITY, *and where the Constitution can't otherwise be preserved; and such necessity ought to be plain and obvious to the sense and judgment of the whole nation: and this was the case at the Revolution.*"

Blamable to state the bounds of non-resistance.

Resistance lawful only in *case* of extreme and obvious necessity.

The counsel for Doctor Sacheverell, in defending their client, were driven in reality to abandon the fundamental principles of his doctrine, and to confess that an exception to the general doctrine of passive obedience and non-resistance did exist in the case of the Revolution. This the managers for the

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Commons considered as having gained their cause, as their having obtained *the whole* of what they contended for. They congratulated themselves and the nation on a civil victory as glorious and as honorable as any that had obtained in arms during that reign of triumphs.

Sir Joseph Jekyl, in his reply to Harcourt, and the other great men who conducted the cause for the Tory side, spoke in the following memorable terms, distinctly stating the whole of what the Whig House of Commons contended for, in the name of all their constituents.

*Sir Joseph Jekyl.*

Necessity creates an exception, and the Revolution a case of necessity, the utmost extent of the demand of the Commons.

"My Lords, the concessions" (the concessions of Sacheverell's counsel) "are these: That *necessity* creates an *exception* to the general rule of submission to the prince; that such exception is understoood or implied in the laws that require such submission; and that *the case of the Revolution was a case of necessity*.

"These are concessions *so ample*, and do so *fully* answer the drift of the Commons in this article, and are to *the utmost extent of their meaning in it*, that I can't forbear congratulating them upon this success of their impeachment, — that in full Parliament, this erroneous doctrine of *unlimited* non-resistance is given up and disclaimed. And may it not, in after ages, be an addition to the glories of this bright reign, that so many of those who are honored with being in her Majesty's service have been at your Lordships' bar thus successfully contending for the *national* rights of her people, and proving they are not precarious or remediless?

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"But to return to these concessions: I must appeal to your Lordships, whether they are not a *total departure* from the Doctor's answer."

I now proceed to show that the Whig managers for the Commons meant to preserve the government on a firm foundation, by asserting the perpetual validity of the settlement then made, and its coercive power upon posterity. I mean to show that they gave no sort of countenance to any doctrine tending to impress the *people* (taken separately from the legislature, which includes the crown) with an idea that *they* had acquired a moral or civil competence to alter, without breach of the original compact on the part of the king, the succession to the crown, at their pleasure,—much less that they had acquired any right, in the case of such an event as caused the Revolution, to set up any new form of government. The author of the Reflections, I believe, thought that no man of common understanding could oppose to this doctrine the ordinary sovereign power as declared in the act of Queen Anne: that is, that the kings or queens of the realm, with the consent of Parliament, are competent to regulate and to settle the succession of the crown. This power is and ever was inherent in the supreme sovereignty, and was not, as the political divines vainly talk, acquired by the Revolution. It is declared in the old statute of Queen Elizabeth. Such a power must reside in the complete sovereignty of every kingdom; and it is in fact exercised in all of them. But this right of *competence* in the legislature, not in the people, is by the legislature itself to be exercised with *sound discretion:* that is to say, it is to be exercised or not, in conformity to the fun-

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damental principles of this government, to the rules of moral obligation, and to the faith of pacts, either contained in the nature of the transaction or entered into by the body corporate of the kingdom, — which body in juridical construction never dies, and in fact never loses its members at once by death.

Whether this doctrine is reconcilable to the modern philosophy of government I believe the author neither knows nor cares, as he has little respect for any of that sort of philosophy. This may be because his capacity and knowledge do not reach to it. If such be the case, he cannot be blamed, if he acts on the sense of that incapacity; he cannot be blamed, if, in the most arduous and critical questions which can possibly arise, and which affect to the quick the vital parts of our Constitution, he takes the side which leans most to safety and settlement; that he is resolved not "to be wise beyond what is written" in the legislative record and practice; that, when doubts arise on them, he endeavors to interpret one statute by another, and to reconcile them all to established, recognized morals, and to the general, ancient, known policy of the laws of England. Two things are equally evident: the first is, that the legislature possesses the power of regulating the succession of the crown; the second, that in the exercise of that right it has uniformly acted as if under the *restraints* which the author has stated. That author makes what the ancients call *mos majorum* not indeed his sole, but certainly his principal rule of policy, to guide his judgment in whatever regards our laws. Uniformity and analogy can be preserved in them by this process only. That point being fixed, and laying fast hold of a strong bottom, our speculations may swing in all

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directions without public detriment, because they will ride with sure anchorage.

In this manner these things have been always considered by our ancestors. There are some, indeed, who have the art of turning the very acts of Parliament which were made for securing the hereditary succession in the present royal family, by rendering it penal to doubt of the validity of those acts of Parliament, into an instrument for defeating all their ends and purposes, — but upon grounds so very foolish that it is not worth while to take further notice of such sophistry.

To prevent any unnecessary subdivision, I shall here put together what may be necessary to show the perfect agreement of the Whigs with Mr. Burke in his assertions, that the Revolution made no "essential change in the constitution of the monarchy, or in any of its ancient, sound, and legal principles; that the succession was settled in the Hanover family, upon the idea and in the mode of an hereditary succession qualified with Protestantism; that it was not settled upon *elective* principles, in any sense of the word *elective*, or under any modification or description of *election* whatsoever; but, on the contrary, that the nation, after the Revolution, renewed by a fresh compact the spirit of the original compact of the state, binding itself, *both in its existing members and all its posterity*, to adhere to the settlement of an hereditary succession in the Protestant line, drawn from James the First, as the stock of inheritance."

*Sir John Hawles.*

Necessity of settling the right of the crown, and

"If he [Dr. Sacheverell] is of the opinion he pretends, I can't imagine how it comes

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submission to the settlement.

to pass that he that pays that deference to the supreme power has preached so directly contrary to the determinations of the supreme power in this government, he very well knowing that the lawfulness of the Revolution, and of the means whereby it was brought about, has already been determined by the aforesaid acts of Parliament, — and do it in the worst manner that he could invent. *For questioning the right to the crown here in England has procured the shedding of more blood and caused more slaughter than all the other matters tending to disturbances in the government put together.* If, therefore, the doctrine which the Apostles had laid down was only to continue the peace of the world, as thinking the death of some few particular persons better to be borne with than a civil war, sure it is the highest breach of that law to question the first principles of this government."

"If the Doctor had been contented with the liberty he took of preaching up the duty of passive obedience in the most extensive manner he had thought fit, and would have stopped there, your Lordships would not have had the trouble in relation to him that you now have; but it is plain that he preached up his absolute and unconditional obedience, not *to continue the peace and tranquillity of this nation, but to set the subjects at strife, and to raise a war in the bowels of this nation:* and it is for *this* that he is now prosecuted; though he would fain have it believed that the prosecution was for preaching the peaceable doctrine of absolute obedience."

*Sir Joseph Jekyl.*

Whole frame of government restored un-

"The whole tenor of the administration then in being was agreed by all to be *a total*

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*departure from the Constitution.* The nation was at that time united in that opinion, all but the criminal part of it. And as the nation joined in the judgment of their disease, so they did in the remedy. *They saw there was no remedy left but the last;* and when that remedy took place, *the whole frame of the government was restored entire and unhurt.** This showed the excellent temper the nation was in at that time, that, after such provocations from an abuse of the regal power, and such a convulsion, *no one part of the Constitution was altered, or suffered the least damage; but, on the contrary, the whole received new life and vigor.*" hurt, on the Revolution.

The Tory counsel for Dr. Sacheverell having insinuated that a great and essential alteration in the Constitution had been wrought by the Revolution, Sir Joseph Jekyl is so strong on this point, that he takes fire even at the insinuation of his being of such an opinion.

*Sir Joseph Jekyl.*

"If the Doctor instructed his counsel to insinuate that there was *any innovation in the Constitution wrought by the Revolution, it is an addition to his crime. The Revolution did not introduce any innovation; it was a restoration of the ancient fun-* No innovation at the Revolution.

* "What we did was, in truth and substance, and in a constitutional light, a revolution, not made, but prevented. We took solid securities; we settled doubtful questions; we corrected anomalies in our law. In the stable, fundamental parts of our Constitution we made no revolution, — no, nor any alteration at all. We did not impair the monarchy. Perhaps it might be shown that we strengthened it very considerably. The nation kept the same ranks, the same

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*damental Constitution of the kingdom*, and giving it its proper force and energy."

The Solicitor-General, Sir Robert Eyre, distinguishes expressly the case of the Revolution, and its principles, from a proceeding at pleasure, on the part of the people, to change their ancient Constitution, and to frame a new government for themselves. He distinguishes it with the same care from the principles of regicide and republicanism, and the sorts of resistance condemned by the doctrines of the Church of England, and which ought to be condemned by the doctrines of all churches professing Christianity.

*Mr. Solicitor-General, Sir Robert Eyre.*

Revolution no precedent for voluntary cancelling allegiance.

"The resistance at the Revolution, which was founded in *unavoidable necessity*, could be no defence to a man that was attacked *for asserting that the people might cancel their allegiance at pleasure, or dethrone and murder their sovereign by a judiciary sentence.* For it can never be inferred, from the lawfulness of resistance at a time when *a total subversion of the government both in Church and State was intended*, that a people may take up arms and *call their sovereign to account at pleasure;* and therefore, since *the Revolution could be of no service in giving the least color for asserting any such wicked principle*, the Doctor could never in-

orders, the same privileges, the same franchises, the same rules for property, the same subordinations, the same order in the law, in the revenue, and in the magistracy, — the same lords, the same commons, the same corporations, the same electors." — *Mr. Burke's Speech in the House of Commons, 9th February*, 1790. — It appears how exactly he coincides in everything with Sir Joseph Jekyl.

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tend to put it into the mouths of those new preachers and new politicians for a defence, — unless it be his opinion that the resistance at the Revolution can bear any parallel with *the execrable murder of the royal martyr, so justly detested by the whole nation.*"

Revolution not like the case of Charles the First.

"'T is plain that the Doctor is not impeached for preaching a general doctrine, and enforcing the general duty of obedience, but for preaching against an *excepted case after he has stated the exception.* He is not impeached for preaching the general doctrine of obedience, and the utter illegality of resistance upon any pretence whatsoever, but because, having first laid down the general doctrine as true, without any exception, *he states the excepted case*, the Revolution, in express terms, as an objection, and then assumes the consideration of that excepted case, denies there was any resistance in the Revolution, and asserts that to impute resistance to the Revolution would cast black and odious colors upon it. This, my Lords, is not preaching the doctrine of non-resistance in the *general* terms used by the Homilies and the fathers of the Church, where cases of necessity may be *understood to be excepted by a tacit implication, as the counsel have allowed*, — but is preaching directly against the resistance at the Revolution, which, in the course of this debate, has been all along admitted to *be necessary and just*, and can have no other meaning than to bring a dishonor upon the Revolution, and an odium upon those great and illustrious persons, *those friends to the monarchy and the Church, that assisted in bringing it about.* For had the Doctor intended anything else, he would have treated the case of the Revolution in a

Sacheverell's doctrine intended to bring an odium on the Revolution.

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True defence of the Revolution on absolute necessity.

different manner, and have given *it the true and fair answer:* he would have said that the resistance at the Revolution was *of absolute necessity, and the only means left to revive the Constitution, and must be therefore taken as an excepted case*, and could never come within the reach or intention of the general doctrine of the Church."

"Your Lordships take notice on what grounds the Doctor continues to assert the same position in his answer. But is it not most evident that the general exhortations to be met with in the Homilies of the Church of England, and such like declarations in the statutes of the kingdom, are meant only as rules for the civil obedience of the subject to the legal administration of the supreme power in *ordinary cases?* And it is equally absurd to construe any words in a positive law to authorize the destruction of the whole, as to expect that King, Lords, and Commons should, in express terms of law, declare *such an ultimate resort as the right of resistance, at a time when the case supposes that the force of all law is ceased.*"*

Commons abhor whatever shakes the submission of posterity to the settlement of the crown.

"The Commons must always resent, with the utmost detestation and abhorrence, every position that may shake the authority of that act of Parliament whereby the crown is settled upon her Majesty, *and whereby the Lords Spiritual and Temporal and Commons do, in the name of all the people of England, most humbly and faithfully submit themselves, their heirs and posterities, to her Majesty*, which this general principle of absolute non resistance must certainly shake.

"For, if the resistance at the Revolution was ille

* See Reflections, pp. 42, 43. — Works, Vol. III. p. 270, present edition.

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gal, the Revolution settled in usurpation, and this act can have no greater force and authority than an act passed under a usurper.

"And the Commons take leave to observe, that the authority of this Parliamentary settlement is a matter of the greatest consequence to maintain, in a case where the hereditary right to the crown is contested."

"It appears by the several instances mentioned in the act declaring the rights and liberties of the subject and settling the succession of the crown, that at the time of the Revolution there was *a total subversion of the constitution of government both in Church and State, which is a case that the laws of England could never suppose, provide for, or have in view.*"

Sir Joseph Jekyl, so often quoted, considered the preservation of the monarchy, and of the rights and prerogatives of the crown, as essential objects with all sound Whigs, and that they were bound not only to maintain them, when injured or invaded, but to exert themselves as much for their reëstablishment, if they should happen to be overthrown by popular fury, as any of their own more immediate and popular rights and privileges, if the latter should be at any time subverted by the crown. For this reason he puts the cases of the *Revolution* and the *Restoration* exactly upon the same footing. He plainly marks, that it was the object of all honest men not to sacrifice one part of the Constitution to another, and much more, not to sacrifice any of them to visionary theories of the rights of man, but to preserve our whole inheritance in the Constitution, in all its members and all its relations, entire and unimpaired, from generation to generation. In this Mr. Burke exactly agrees with him.

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*Sir Joseph Jekyl.*

What are the rights of the people.

"Nothing is plainer than that the people have a right to the laws and the Constitution. This right the nation hath asserted, and recovered out of the hands of those who had dispossessed them of it at several times. There are of this *two famous instances* in the knowledge of the present age: I mean that of the *Restoration*, and that of the *Revolution:* in both these great events were the *regal power* and the *rights of the people* recovered. And it is *hard to say in which the people have the greatest interest; for the Commons are sensible that there is not one legal power belonging to the crown, but they have an interest in it; and I doubt not but they will always be as careful to support the rights of the crown as their own privileges.*"

Restoration and Revolution.

People have an equal interest in the legal rights of the crown and of their own.

The other Whig managers regarded (as he did) the overturning of the monarchy by a republican faction with the very same horror and detestation with which they regarded the destruction of the privileges of the people by an arbitrary monarch.

*Mr. Lechmere,*

Constitution recovered at the Restoration and Revolution.

Speaking of our Constitution, states it as "a Constitution which happily recovered itself, at the Restoration, from the confusions and disorders which *the horrid and detestable proceedings of faction and usurpation had thrown it into*, and which after many convulsions and struggles was providentially saved at the late happy Revolution, and by the many good laws passed since that time stands now upon a firmer foundation, together with

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the most comfortable prospect of *security to all posterity* by the settlement of the crown in the Protestant line."

I mean now to show that the Whigs (if Sir Joseph Jekyl was one, and if he spoke in conformity to the sense of the Whig House of Commons, and the Whig ministry who employed him) did carefully guard against any presumption that might arise from the repeal of the non-resistance oath of Charles the Second, as if at the Revolution the ancient principles of our government were at all changed, or that republican doctrines were countenanced, or any sanction given to seditious proceedings upon general undefined ideas of misconduct, or for changing the form of government, or for resistance upon any other ground than the *necessity* so often mentioned for the purpose of self-preservation. It will show still more clearly the equal care of the then Whigs to prevent either the regal power from being swallowed up on pretence of popular rights, or the popular rights from being destroyed on pretence of regal prerogatives.

*Sir Joseph Jekyl.*

Mischief of broaching antimonarchical principles.

"Further, I desire it may be considered, these legislators" (the legislators who framed the non-resistance oath of Charles the Second) "were guarding against the consequences of those *pernicious and antimonarchical principles which had been broached a little before in this nation*, and those large declarations in favor of *non-resistance* were made to encounter or obviate the *mischief* of those principles, — as appears by the preamble to the fullest of those acts, which is the *Militia Act*, in the

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13th and 14th of King Charles the Second. The words of that act are these: *And during the late usurped governments, many evil and rebellious principles have been instilled into the minds of the people of this kingdom, which may break forth, unless prevented, to the disturbance of the peace and quiet thereof: Be it therefore enacted*, &c. Here your Lordships may see the reason that inclined those legislators to express themselves in such a manner against resistance. *They had seen the regal rights swallowed up under the pretence of popular ones:* and it is no imputation on them, that they did not then foresee a *quite different case*, as was that of the Revolution, where, under the pretence of regal authority, a total subversion of the rights of the subject was advanced, and in a manner effected. And this may serve to show that it was not the design of those legislators to condemn resistance, in a case *of absolute necessity, for preserving the Constitution*, when they were guarding against principles which had so lately destroyed it."

Two cases of resistance: one to preserve the crown, the other the rights of the subject.

"As to the truth of the doctrine in this declaration which was repealed, *I'll admit it to be as true as the Doctor's counsel assert it, — that is, with an exception of cases of necessity:* and it was not repealed because it was false, *understanding it with that restriction;* but it was repealed because it might be interpreted in *an unconfined sense, and exclusive of that restriction*, and, being so understood, would reflect on the justice of the Revolution: and this the legislature had at heart, and were very jealous of, and by this repeal of that declaration gave a Parliamentary or legislative ad-

Non-resistance oath not repealed because (with the restriction of necessity) it was false, but to prevent false interpretations.

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monition against asserting this doctrine of non-resistance *in an unlimited sense.*"

General doctrine of non-resistance godly and wholesome; not bound to state *explicitly* the exceptions.

"Though the general doctrine of non-resistance, the doctrine of the Church of England, as stated in her Homilies, or elsewhere delivered, by which the general duty of subjects to the higher powers is taught, be owned to be, as unquestionably it is, *a godly and wholesome doctrine*, — though this general doctrine has been constantly inculcated by the reverend fathers of the Church, dead and living, and preached by them as a preservative against the Popish doctrine of deposing princes, and as the ordinary rule of obedience, — and though the same doctrine has been preached, maintained, and avowed by our most orthodox and able divines from the time of the Reformation, — and how *innocent a man* soever Dr. Sacheverell had been, if, *with an honest and well-meant* zeal, he had preached the same doctrine in the same general terms in which he found it delivered by the Apostles of Christ, as taught by the Homilies and the reverend fathers of our Church, and, in imitation of those great examples, had only pressed the general duty of obedience, and the illegality of resistance, without taking notice of any exception," &c.

Another of the managers for the House of Commons, Sir John Holland, was not less careful in guarding against a confusion of the principles of the Revolution with any loose, general doctrines of a right in the individual, or even in the people, to undertake for themselves, on any prevalent, temporary opinions of convenience or improvement, any fundamental change in the Constitution, or to fabricate a



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new government for themselves, and thereby to disturb the public peace, and to unsettle the ancient Constitution of this kingdom.

*Sir John Holland.*

Submission to the sovereign a conscientious duty, except in cases of necessity.

"The Commons would not be understood as if they were pleading for a licentious resistance, as if *subjects* were left to *their* good-will and pleasure when they are to *obey* and when to *resist*. No, my Lords, they know they are *obliged by all the ties of social creatures and Christians, for wrath and conscience' sake, to submit to their sovereign*. The Commons do not abet *humorsome, factious arms:* they aver them to be *rebellions*. But yet they maintain that that resistance at the Revolution, which was so *necessary, was lawful and just from that necessity*."

"These general rules of obedience may, upon a *real necessity*, admit a lawful *exception;* and such a *necessary exception* we assert the Revolution to be.

Right of resistance how to be understood.

"'T is with this view of *necessity*, only *absolute necessity* of preserving our laws, liberties, and religion, — 't is with *this limitation*, that we desire to be understood, when any of us speak of resistance in general. The *necessity* of the resistance at the Revolution was at that time obvious to every man."

I shall conclude these extracts with a reference to the Prince of Orange's Declaration, in which he gives the nation the fullest assurance that in his enterprise he was far from the intention of introducing any change whatever in the fundamental law and Constitution of the state. He considered the object

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of his enterprise not to be a precedent for further revolutions, but that it was the great end of his expedition to make such revolutions, so far as human power and wisdom could provide, unnecessary.

*Extracts from the Prince of Orange's Declaration.*

"*All magistrates, who have been* unjustly turned out, shall *forthwith resume their former* employments; as well as all the boroughs of England shall return again to *their ancient prescriptions and charters*, and, more particularly, that *the ancient* charter of the great and famous city of London shall again be in force; and that the writs for the members of Parliament shall be addressed to the *proper officers, according to law and custom.*"

"And for the doing of all other things which the two Houses of Parliament shall find necessary for the peace, honor, and safety of the nation, so that there may *be no more danger of the nation's falling, at any time hereafter, under arbitrary government.*"

*Extract from the Prince of Orange's Additional Declaration.*

"We are confident that no persons can have *such hard thoughts of us* as to imagine that we have any other design in this undertaking than to procure a settlement of the *religion and of the liberties and properties of the subjects upon so sure a foundation that there may be no danger of the nation's relapsing into the like miseries at any time hereafter.* And as the forces that we have brought along with us are utterly disproportioned to that wicked design of conquering the nation, if we were capable of intending it, *so the great numbers of the principal nobility and*

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Principal nobility and gentry well affected to the Church and crown, security against the design of innovation.

*gentry, that are men of eminent quality and estates, and persons of known integrity and zeal, both for the religion and government of England, many of them also being distinguished by their constant fidelity to the crown,* who do both accompany us in this expedition and have earnestly solicited us to it, will cover us from all such malicious insinuations."

In the spirit, and, upon one occasion, in the words,* of this Declaration, the statutes passed in that reign made such provisions for preventing these dangers, that scarcely anything short of combination of King, Lords, and Commons, for the destruction of the liberties of the nation, can in any probability make us liable to similar perils. In that dreadful, and, I hope, not to be looked-for case, any opinion of a right to make revolutions, grounded on this precedent, would be but a poor resource. Dreadful, indeed, would be our situation!

These are the doctrines held by *the Whigs of the Revolution*, delivered with as much solemnity, and as authentically at least, as any political dogmas were ever promulgated from the beginning of the world. If there be any difference between their tenets and those of Mr. Burke, it is, that the old Whigs oppose themselves still more strongly than he does against the doctrines which are now propagated with so much industry by those who would be thought their successors.

It will be said, perhaps, that the old Whigs, in order to guard themselves against popular odium,

* Declaration of Right.

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pretended to assert tenets contrary to those which they secretly held. This, if true, would prove, what Mr. Burke has uniformly asserted, that the extravagant doctrines which he meant to expose were disagreeable to the body of the people, — who, though they perfectly abhor a despotic government, certainly approached more nearly to the love of mitigated monarchy than to anything which bears the appearance even of the best republic. But if these old Whigs deceived the people, their conduct was unaccountable indeed. They exposed their power, as every one conversant in history knows, to the greatest peril, for the propagation of opinions which, on this hypothesis, they did not hold. It is a new kind of martyrdom. This supposition does as little credit to their integrity as their wisdom: it makes them at once hypocrites and fools. I think of those great men very differently. I hold them to have been, what the world thought them, men of deep understanding, open sincerity, and clear honor. However, be that matter as it may, what these old Whigs pretended to be Mr. Burke is. This is enough for him.

I do, indeed, admit, that, though Mr. Burke has proved that his opinions were those of the old Whig party, solemnly declared by one House, in effect and substance by both Houses of Parliament, this testimony standing by itself will form no proper defence for his opinions, if he and the old Whigs were both of them in the wrong. But it is his present concern, not to vindicate these old Whigs, but to show his agreement with them. He appeals to them as judges: he does not vindicate them as culprits. It is current that these old politicians knew little of the rights of men, — that they lost their way by groping about in

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the dark, and fumbling among rotten parchments and musty records. Great lights, they say, are lately obtained in the world; and Mr. Burke, instead of shrouding himself in exploded ignorance, ought to have taken advantage of the blaze of illumination which has been spread about him. It may be so. The enthusiasts of this time, it seems, like their predecessors in another faction of fanaticism, deal in lights. Hudibras pleasantly says of them, they

> "Have *lights*, where better eyes are blind, —
> As pigs are said to see the wind."

The author of the Reflections has *heard* a great deal concerning the modern lights, but he has not yet had the good fortune to *see* much of them. He has read more than he can justify to anything but the spirit of curiosity, of the works of these illuminators of the world. He has learned nothing from the far greater number of them than a full certainty of their shallowness, levity, pride, petulance, presumption, and ignorance. Where the old authors whom he has read, and the old men whom he has conversed with, have left him in the dark, he is in the dark still. If others, however, have obtained any of this extraordinary light, they will use it to guide them in their researches and their conduct. I have only to wish that the nation may be as happy and as prosperous under the influence of the new light as it has been in the sober shade of the old obscurity. As to the rest, it will be difficult for the author of the Reflections to conform to the principles of the avowed leaders of the party, until they appear otherwise than negatively. All we can gather from them is this, — that their principles are diametrically opposite to his. This is all that we know from authority. Their neg-

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ative declaration obliges me to have recourse to the books which contain positive doctrines. They are, indeed, to those Mr. Burke holds diametrically opposite; and if it be true (as the oracles of the party have said, I hope hastily) that their opinions differ so widely, it should seem they are the most likely to form the creed of the modern Whigs.

I have stated what were the avowed sentiments of the old Whigs, not in the way of argument, but narratively. It is but fair to set before the reader, in the same simple manner, the sentiments of the modern, to which they spare neither pains nor expense to make proselytes. I choose them from the books upon which most of that industry and expenditure in circulation have been employed; I choose them, not from those who speak with a politic obscurity, not from those who only controvert the opinions of the old Whigs, without advancing any of their own, but from those who speak plainly and affirmatively. The Whig reader may make his choice between the two doctrines.

The doctrine, then, propagated by these societies, which gentlemen think they ought to be very tender in discouraging, as nearly as possible in their own words, is as follows: That in Great Britain we are not only without a good Constitution, but that we have "no Constitution"; — that, "though it is much talked about, no such thing as a Constitution exists or ever did exist, and consequently that *the people have a Constitution yet to form;* — that since William the Conqueror the country has never yet *regenerated itself*, and is therefore without a Constitution; — that where it cannot be produced in a visible form there

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is none; — that a Constitution is a thing antecedent to government; and that the Constitution of a country is not the act of its government, but of a people constituting a government; — that *everything* in the English government is the reverse of what it ought to be, and what it is said to be in England; — that the right of war and peace resides in a metaphor shown at the Tower for sixpence or a shilling apiece; — that it signifies not where the right resides, whether in the crown or in Parliament; war is the common harvest of those who participate in the division and expenditure of public money; — that the portion of liberty enjoyed in England is just enough to enslave a country more productively than by despotism.

So far as to the general state of the British Constitution. — As to our House of Lords, the chief virtual representative of our aristocracy, the great ground and pillar of security to the landed interest, and that main link by which it is connected with the law and the crown, these worthy societies are pleased to tell us, that, "whether we view aristocracy before, or behind, or sideways, or any way else, domestically or publicly, it is still a *monster;* — that aristocracy in France had one feature less in its countenance than what it has in some other countries: it did not compose a body of hereditary legislators; it was not *a corporation of aristocracy*" (for such, it seems, that profound legislator, M. de La Fayette, describes the House of Peers); — "that it is kept up by family tyranny and injustice; — that there is an unnatural unfitness in aristocracy to be legislators for a nation; — that their ideas of distributive justice are corrupted at the very source; they begin life by trampling on all their younger brothers and sisters, and relations

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of every kind, and are taught and educated so to do; — that the idea of an hereditary legislator is as absurd as an hereditary mathematician; — that a body holding themselves unaccountable to anybody ought to be trusted by nobody; — that it is continuing the uncivilized principles of governments founded in conquest, and the base idea of man having a property in man, and governing him by a personal right; — that aristocracy has a tendency to degenerate the human species," &c., &c.

As to our law of primogeniture, which with few and inconsiderable exceptions is the standing law of all our landed inheritance, and which without question has a tendency, and I think a most happy tendency, to preserve a character of consequence, weight, and prevalent influence over others in the whole body of the landed interest, they call loudly for its destruction. They do this for political reasons that are very manifest. They have the confidence to say, "that it is a law against every law of Nature, and Nature herself calls for its destruction. Establish family justice, and aristocracy falls. By the aristocratical law of primogenitureship, in a family of six children, five are exposed. Aristocracy has never but *one* child. The rest are begotten to be devoured. They are thrown to the cannibal for prey, and the natural parent prepares the unnatural repast."

As to the House of Commons, they treat it far worse than the House of Lords or the crown have been ever treated. Perhaps they thought they had a greater right to take this amicable freedom with those of their own family. For many years it has been the perpetual theme of their invectives. "Mockery, insult, usurpation," are amongst the best names

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they bestow upon it. They damn it in the mass, by declaring "that it does not arise out of the inherent rights of the people, as the National Assembly does in France, and whose name designates its original."

Of the charters and corporations, to whose rights a few years ago these gentlemen were so tremblingly alive, they say, "that, when the people of England come to reflect upon them, they will, like France, annihilate those badges of oppression, those traces of a conquered nation."

As to our monarchy, they had formerly been more tender of that branch of the Constitution, and for a good reason. The laws had guarded against all seditious attacks upon it with a greater degree of strictness and severity. The tone of these gentlemen is totally altered since the French Revolution. They now declaim as vehemently against the monarchy as on former occasions they treacherously flattered and soothed it.

"When we survey the wretched condition of man under the monarchical and hereditary systems of government, dragged from his home by one power, or driven by another, and impoverished by taxes more than by enemies, it becomes evident that those systems are bad, and that a general revolution in the principle and construction of governments is necessary.

"What is government more than the management of the affairs of a nation? It is not, and from its nature cannot be, the property of any particular man or family, but of the whole community, at whose expense it is supported; and though by force or contrivance it has been usurped into an inheritance, the usurpa-

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tion cannot alter the right of things. Sovereignty, as a matter of right, appertains to the nation only, and not to any individual; and a nation has at all times an inherent indefeasible right to abolish any form of government it finds inconvenient, and establish such as accords with its interest, disposition, and happiness. The romantic and barbarous distinction of men into kings and subjects, though it may suit the condition of courtiers, cannot that of citizens, and is exploded by the principle upon which governments are now founded. Every citizen is a member of the sovereignty, and, as such, can acknowledge no personal subjection, and his obedience can be only to the laws."

Warmly recommending to us the example of France, where they have destroyed monarchy, they say, —

"Monarchical sovereignty, the enemy of mankind, and the source of misery, is abolished; and sovereign ty itself is restored to its natural and original place, the nation. Were this the case throughout Europe, the cause of wars would be taken away."

"But, after all, what is this metaphor called a crown? or rather, what is monarchy? Is it a thing, or is it a name, or is it a fraud? Is it 'a contrivance of human wisdom,' or of human craft, to obtain money from a nation under specious pretences? Is it a thing necessary to a nation? If it is, in what does that necessity consist, what services does it perform, what is its business, and what are its merits? Doth the virtue consist in the metaphor or in the man? Doth the goldsmith that makes the crown make the virtue also? Doth it operate like Fortunatus's wishing-cap or Harlequin's wooden sword? Doth

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it make a man a conjurer? In fine, what is it? It appears to be a something going much out of fashion, falling into ridicule, and rejected in some countries both as unnecessary and expensive. In America it is considered as an absurdity; and in France it has so far declined, that the goodness of the man and the respect for his personal character are the only things that preserve the appearance of its existence."

"Mr. Burke talks about what he calls an hereditary crown, as if it were some production of Nature, — or as if, like time, it had a power to operate, not only independently, but in spite of man, — or as if it were a thing or a subject universally consented to. Alas! it has none of those properties, but is the reverse of them all. It is a thing in imagination, the propriety of which is more than doubted, and the legality of which in a few years will be denied."

"If I ask the farmer, the manufacturer, the merchant, the tradesman, and down through all the occupations of life to the common laborer, what service monarchy is to him, he can give me no answer. If I ask him what monarchy is, he believes it is something like a sinecure."

"The French Constitution says, that the right of war and peace is in the nation. Where else should it reside, but in those who are to pay the expense?

"In England, this right is said to reside in a *metaphor*, shown at the Tower for sixpence or a shilling apiece: so are the lions; and it would be a step nearer to reason to say it resided in them, for any inanimate metaphor is no more than a hat or a cap. We can all see the absurdity of worshipping Aaron's molten calf, or Nebuchadnezzar's golden image; but why do men continue to practise themselves the absurdities they despise in others?"

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The Revolution and Hanover succession had been objects of the highest veneration to the old Whigs. They thought them not only proofs of the sober and steady spirit of liberty which guided their ancestors, but of their wisdom and provident care of posterity. The modern Whigs have quite other notions of these events and actions. They do not deny that Mr. Burke has given truly the words of the acts of Parliament which secured the succession, and the just sense of them. They attack not him, but the law.

"Mr Burke" (say they) "has done some service, not to his cause, but to his country, by bringing those clauses into public view. They serve to demonstrate how necessary it is at all times to watch against the attempted encroachment of power, and to prevent its running to excess. It is somewhat extraordinary, that the offence for which James the Second was expelled, that of setting up power by *assumption*, should be re-acted, under another shape and form, by the Parliament that expelled him. It shows that the rights of man were but imperfectly understood at the Revolution; for certain it is, that the right which that Parliament set up by *assumption* (for by delegation it had it not, and could not have it, because none could give it) over the persons and freedom of posterity forever, was of the same tyrannical unfounded kind which James attempted to set up over the Parliament and the nation, and for which he was expelled. The only difference is, (for in principle they differ not,) that the one was an usurper over the living, and the other over the unborn; and as the one has no better authority to stand upon than the other, both of them must be equally null and void, and of no effect."

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"As the estimation of all things is by comparison, the Revolution of 1688, however from circumstances it may have been exalted beyond its value, will find its level. It is already on the wane, eclipsed by the enlarging orb of reason and the luminous Revolutions of America and France. In less than another century, it will go, as well as Mr. Burke's labors, 'to the family vault of all the Capulets.' *Mankind will then scarcely believe that a country calling itself free would send to Holland for a man and clothe him with power on purpose to put themselves in fear of him, and give him almost a million sterling a year for leave to submit themselves and their posterity like bondmen ana bondwomen forever.*"

Mr. Burke having said that "the king holds his crown in contempt of the choice of the Revolution Society, who individually or collectively have not" (as most certainly they have not) "a vote for a king amongst them," they take occasion from thence to infer that the king who does not hold his crown by election despises the people.

"'The king of England,' says he, 'holds *his* crown' (for it does not belong to the nation, according to Mr. Burke) 'in *contempt* of the choice of the Revolution Society,'" &c.

"As to who is king in England or elsewhere, or whether there is any king at all, or whether the people choose a Cherokee chief or a Hessian hussar for a king, it is not a matter that I trouble myself about, — be that to themselves; but with respect to the doctrine, so far as it relates to the rights of men and nations, it is as abominable as anything ever uttered in the most enslaved country under heaven. Whether it sounds worse to my ear, by not being accus-

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tomed to hear such despotism, than what it does to the ear of another person, I am not so well a judge of; but of its abominable principle I am at no loss to judge."

These societies of modern Whigs push their insolence as far as it can go. In order to prepare the minds of the people for treason and rebellion, they represent the king as tainted with principles of despotism, from the circumstance of his having dominions in Germany. In direct defiance of the most notorious truth, they describe his government there to be a despotism; whereas it is a free Constitution, in which the states of the Electorate have their part in the government: and this privilege has never been infringed by the king, or, that I have heard of, by any of his predecessors. The Constitution of the Electoral dominions has, indeed, a double control, both from the laws of the Empire and from the privileges of the country. Whatever rights the king enjoys as Elector have been always parentally exercised, and the calumnies of these scandalous societies have not been authorized by a single complaint of oppression.

"When Mr. Burke says that 'his Majesty's heirs and successors, each in their time and order, will come to the crown with the *same contempt* of their choice with which his Majesty has succeeded to that he wears,' it is saying too much even to the humblest individual in the country, part of whose daily labor goes towards making up the million sterling a year which the country gives the person it styles a king. Government with insolence is despotism; but when contempt is added, it becomes worse; and to pay for contempt is the excess of slavery. This species of

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government comes from Germany, and reminds me of what one of the Brunswick soldiers told me, who was taken prisoner by the Americans in the late war. 'Ah!' said he, 'America is a fine free country: it is worth the people's fighting for. I know the difference by knowing my own: in my country, *if the prince says*, "*Eat straw*," *we eat straw*.' God help that country, thought I, be it England, or elsewhere, whose liberties are to be protected by *German principles of government and princes of Brunswick!*"

"It is somewhat curious to observe, that, although the people of England have been in the habit of talking about kings, it is always a foreign house of kings, — hating foreigners, yet governed by them. It is now the House of Brunswick, one of the petty tribes of Germany."

"If government be what Mr. Burke describes it, 'a contrivance of human wisdom,' I might ask him if wisdom was at such a low ebb in England that it was become necessary to import it from Holland and from Hanover? But I will do the country the justice to say, that was not the case; and even if it was, it mistook the cargo. The wisdom of every country, when properly exerted, is sufficient for all its purposes; *and there could exist no more real occasion in England to have sent for a Dutch Stadtholder or a German Elector* than there was in America to have done a similar thing. If a country does not understand its own affairs, how is a foreigner to understand them, who knows neither its laws, its manners, nor its language? If there existed a man so transcendently wise above all others that his wisdom was necessary to construct a nation, some reason might be offered for monarchy; but when we cast our eyes about a coun-

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try, and observe how every part understands its own affairs, and when we look around the world, and see, that, of all men in it, the race of kings are the most insignificant in capacity, our reason cannot fail to ask us, What are those men kept for?" *

These are the notions which, under the idea of Whig principles, several persons, and among them persons of no mean mark, have associated themselves to propagate. I will not attempt in the smallest degree to refute them. This will probably be done (if such writings shall be thought to deserve any other than the refutation of criminal justice) by others, who may think with Mr. Burke. He has performed his part.

I do not wish to enter very much at large into the discussions which diverge and ramify in all ways from this productive subject. But there is one topic upon which I hope I shall be excused in going a little beyond my design. The factions now so busy amongst us, in order to divest men of all love for their country, and to remove from their minds all duty with regard to the state, endeavor to propagate an opinion, that the *people*, in forming their commonwealth, have by no means parted with their power over it. This is an impregnable citadel, to which these gentlemen retreat, whenever they are pushed by the battery of laws and usages and positive conventions. Indeed, it is such, and of so great force, that all they have done in defending their outworks is so much time and labor thrown away. Discuss any of their schemes, their answer is, It is the act of the

* Vindication of the Rights of Man, recommended by the several societies.



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*people*, and that is sufficient. Are we to deny to a *majority* of the people the right of altering even the whole frame of their society, if such should be their pleasure? They may change it, say they, from a monarchy to a republic to-day, and to-morrow back again from a republic to a monarchy; and so backward and forward as often as they like. They are masters of the commonwealth, because in substance they are themselves the commonwealth. The French Revolution, say they, was the act of the majority of the people; and if the majority of any other people, the people of England, for instance, wish to make the same change, they have the same right.

Just the same, undoubtedly. That is, none at all. Neither the few nor the many have a right to act merely by their will, in any matter connected with duty, trust, engagement, or obligation. The Constitution of a country being once settled upon some compact, tacit or expressed, there is no power existing of force to alter it, without the breach of the covenant, or the consent of all the parties. Such is the nature of a contract. And the votes of a majority of the people, whatever their infamous flatterers may teach in order to corrupt their minds, cannot alter the moral any more than they can alter the physical essence of things. The people are not to be taught to think lightly of their engagements to their governors; else they teach governors to think lightly of their engagements towards them. In that kind of game, in the end, the people are sure to be losers. To flatter them into a contempt of faith, truth, and justice is to ruin them; for in these virtues consists their whole safety. To flatter any man, or any part of mankind, in any description, by asserting that in

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engagements he or they are free, whilst any other human creature is bound, is ultimately to vest the rule of morality in the pleasure of those who ought to be rigidly submitted to it, — to subject the sovereign reason of the world to the caprices of weak and giddy men.

But, as no one of us men can dispense with public or private faith, or with any other tie of moral obligation, so neither can any number of us. The number engaged in crimes, instead of turning them into laudable acts, only augments the quantity and intensity of the guilt. I am well aware that men love to hear of their power, but have an extreme disrelish to be told of their duty. This is of course; because every duty is a limitation of some power. Indeed, arbitrary power is so much to the depraved taste of the vulgar, of the vulgar of every description, that almost all the dissensions which lacerate the commonwealth are not concerning the manner in which it is to be exercised, but concerning the hands in which it is to be placed. Somewhere they are resolved to have it. Whether they desire it to be vested in the many or the few depends with most men upon the chance which they imagine they themselves may have of partaking in the exercise of that arbitrary sway, in the one mode or in the other.

It is not necessary to teach men to thirst after power. But it is very expedient that by moral instruction they should be taught, and by their civil constitutions they should be compelled, to put many restrictions upon the immoderate exercise of it, and the inordinate desire. The best method of obtaining these two great points forms the important, but at the same time the difficult problem to the true states-

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man. He thinks of the place in which political power is to be lodged with no other attention than as it may render the more or the less practicable its salutary restraint and its prudent direction. For this reason, no legislator, at any period of the world, has willingly placed the seat of active power in the hands of the multitude; because there it admits of no control, no regulation, no steady direction whatsoever. The people are the natural control on authority; but to exercise and to control together is contradictory and impossible.

As the exorbitant exercise of power cannot, under popular sway, be effectually restrained, the other great object of political arrangement, the means of abating an excessive desire of it, is in such a state still worse provided for. The democratic commonwealth is the foodful nurse of ambition. Under the other forms it meets with many restraints. Whenever, in states which have had a democratic basis, the legislators have endeavored to put restraints upon ambition, their methods were as violent as in the end they were ineffectual, — as violent, indeed, as any the most jealous despotism could invent. The ostracism could not very long save itself, and much less the state which it was meant to guard, from the attempts of ambition, — one of the natural, inbred, incurable distempers of a powerful democracy.

But to return from this short digression, — which, however, is not wholly foreign to the question of the effect of the will of the majority upon the form or the existence of their society. I cannot too often recommend it to the serious consideration of all men who think civil society to be within the province of moral jurisdiction, that, if we owe to it any duty, it is not

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subject to our will. Duties are not voluntary. Duty and will are even contradictory terms. Now, though civil society might be at first a voluntary act, (which in many cases it undoubtedly was,) its continuance is under a permanent standing covenant, coexisting with the society; and it attaches upon every individual of that society, without any formal act of his own. This is warranted by the general practice, arising out of the general sense of mankind. Men without their choice derive benefits from that association; without their choice they are subjected to duties in consequence of these benefits; and without their choice they enter into a virtual obligation as binding as any that is actual. Look through the whole of life and the whole system of duties. Much the strongest moral obligations are such as were never the results of our option. I allow, that, if no Supreme Ruler exists, wise to form, and potent to enforce, the moral law, there is no sanction to any contract, virtual or even actual, against the will of prevalent power. On that hypothesis, let any set of men be strong enough to set their duties at defiance, and they cease to be duties any longer. We have but this one appeal against irresistible power, —

> Si genus humanum et mortalia temnitis arma,
> At sperate Deos memores fandi atque nefandi.

Taking it for granted that I do not write to the disciples of the Parisian philosophy, I may assume that the awful Author of our being is the Author of our place in the order of existence, — and that, having disposed and marshalled us by a divine tactic, not according to our will, but according to His, He has in and by that disposition virtually subjected us to act the part which belongs to the place assigned

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us. We have obligations to mankind at large, which are not in consequence of any special voluntary pact. They arise from the relation of man to man, and the relation of man to God, which relations are not matters of choice. On the contrary, the force of all the pacts which we enter into with any particular person or number of persons amongst mankind depends upon those prior obligations. In some cases the subordinate relations are voluntary, in others they are necessary, — but the duties are all compulsive. When we marry, the choice is voluntary, but the duties are not matter of choice: they are dictated by the nature of the situation. Dark and inscrutable are the ways by which we come into the world. The instincts which give rise to this mysterious process of Nature are not of our making. But out of physical causes, unknown to us, perhaps unknowable, arise moral duties, which, as we are able perfectly to comprehend, we are bound indispensably to perform. Parents may not be consenting to their moral relation; but, consenting or not, they are bound to a long train of burdensome duties towards those with whom they have never made a convention of any sort. Children are not consenting to their relation; but their relation, without their actual consent, binds them to its duties, — or rather it implies their consent, because the presumed consent of every rational creature is in unison with the predisposed order of things. Men come in that manner into a community with the social state of their parents, endowed with all the benefits, loaded with all the duties of their situation. If the social ties and ligaments, spun out of those physical relations which are the elements of the commonwealth, in most cases begin, and always continue,

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independently of our will, so, without any stipulation on our own part, are we bound by that relation called our country, which comprehends (as it has been well said) "all the charities of all." * Nor are we left without powerful instincts to make this duty as dear and grateful to us as it is awful and coercive. Our country is not a thing of mere physical locality. It consists, in a great measure, in the ancient order into which we are born. We may have the same geographical situation, but another country; as we may have the same country in another soil. The place that determines our duty to our country is a social, civil relation.

These are the opinions of the author whose cause I defend. I lay them down, not to enforce them upon others by disputation, but as an account of his proceedings. On them he acts; and from them he is convinced that neither he, nor any man, or number of men, have a right (except what necessity, which is out of and above all rule, rather imposes than bestows) to free themselves from that primary engagement into which every man born into a community as much contracts by his being born into it as he contracts an obligation to certain parents by his having been derived from their bodies. The place of every man determines his duty. If you ask, *Quem te Deus esse jussit?* you will be answered when you resolve this other question, *Humana qua parte locatus es in re?* *

I admit, indeed, that in morals, as in all things else, difficulties will sometimes occur. Duties will sometimes cross one another. Then questions will

* "Omnes omnium charitates patria una complectitur." — Cic.

† A few lines in Persius contain a good summary of all the objects

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arise, which of them is to be placed in subordination? which of them may be entirely superseded? These doubts give rise to that part of moral science called *casuistry*, which though necessary to be well studied by those who would become expert in that learning, who aim at becoming what I think Cicero somewhere calls *artifices officiorum*, it requires a very solid and discriminating judgment, great modesty and caution, and much sobriety of mind in the handling; else there is a danger that it may totally subvert those offices which it is its object only to methodize and reconcile. Duties, at their extreme bounds, are drawn very fine, so as to become almost evanescent. In that state some shade of doubt will always rest on these questions, when they are pursued with great subtilty. But the very habit of stating these extreme cases is not very laudable or safe; because, in general, it is not right to turn our duties into doubts. They are imposed to govern our conduct, not to exercise our ingenuity; and therefore our opinions about them ought not to be in a state of fluctuation, but steady, sure, and resolved.

Amongst these nice, and therefore dangerous points of casuistry, may be reckoned the question so much agitated in the present hour, — Whether, after the people have discharged themselves of their original power by an habitual delegation, no occasion can

of moral investigation, and hint the result of our inquiry: There human will has no place.

> Quid *sumus?* et quidnam *victuri gignimur?* ordo
> Quis *datus?* et *metæ* quis mollis flexus, et unde?
> Quis modus argento? Quid *fas optare?* Quid asper
> Utile nummus habet? *Patriæ charisque propinquis*
> Quantum elargiri *debet?* Quem te Deus esse
> *Jussit?* et humana qua parte *locatus es* in re?

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possibly occur which may justify the resumption of it? This question, in this latitude, is very hard to affirm or deny: but I am satisfied that no occasion can justify such a resumption, which would not equally authorize a dispensation with any other moral duty, perhaps with all of them together. However, if in general it be not easy to determine concerning the lawfulness of such devious proceedings, which must be ever on the edge of crimes, it is far from difficult to foresee the perilous consequences of the resuscitation of such a power in the people. The practical consequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to produce evil is politically false; that which is productive of good, politically true.

Believing it, therefore, a question at least arduous in the theory, and in the practice very critical, it would become us to ascertain as well as we can what form it is that our incantations are about to call up from darkness and the sleep of ages. When the supreme authority of the people is in question, before we attempt to extend or to confine it, we ought to fix in our minds, with some degree of distinctness, an idea of what it is we mean, when we say, the PEOPLE.

In a state of *rude* Nature there is no such thing as a people. A number of men in themselves have no collective capacity. The idea of a people is the idea of a corporation. It is wholly artificial, and made, like all other legal fictions, by common agreement. What the particular nature of that agreement was is collected from the form into which the particular

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society has been cast. Any other is not *their* covenant. When men, therefore, break up the original compact or agreement which gives its corporate form and capacity to a state, they are no longer a people, — they have no longer a corporate existence, — they have no longer a legal coactive force to bind within, nor a claim to be recognized abroad. They are a number of vague, loose individuals, and nothing more. With them all is to begin again. Alas! they little know how many a weary step is to be taken before they can form themselves into a mass which has a true politic personality.

We hear much, from men who have not acquired their hardiness of assertion from the profundity of their thinking, about the omnipotence of a *majority*, in such a dissolution of an ancient society as hath taken place in France. But amongst men so disbanded there can be no such thing as majority or minority, or power in any one person to bind another. The power of acting by a majority, which the gentlemen theorists seem to assume so readily, after they have violated the contract out of which it has arisen, (if at all it existed,) must be grounded on two assumptions: first, that of an incorporation produced by unanimity; and secondly, an unanimous agreement that the act of a mere majority (say of one) shall pass with them and with others as the act of the whole.

We are so little affected by things which are habitual, that we consider this idea of the decision of a *majority* as if it were a law of our original nature. But such constructive whole, residing in a part only, is one of the most violent fictions of positive law that ever has been or can be made on the principles of artificial incorporation. Out of civil society Nature

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knows nothing of it; nor are men, even when arranged according to civil order, otherwise than by very long training, brought at all to submit to it. The mind is brought far more easily to acquiesce in the proceedings of one man, or a few, who act under a general procuration for the state, than in the vote of a victorious majority in councils in which every man has his share in the deliberation. For there the beaten party are exasperated and soured by the previous contention, and mortified by the conclusive defeat. This mode of decision, where wills may be so nearly equal, where, according to circumstances, the smaller number may be the stronger force, and where apparent reason may be all upon one side, and on the other little else than impetuous appetite, — all this must be the result of a very particular and special convention, confirmed afterwards by long habits of obedience, by a sort of discipline in society, and by a strong hand, vested with stationary, permanent power to enforce this sort of constructive general will. What organ it is that shall declare the corporate mind is so much a matter of positive arrangement, that several states, for the validity of several of their acts, have required a proportion of voices much greater than that of a mere majority. These proportions are so entirely governed by convention that in some cases the minority decides. The laws in many countries to *condemn* require more than a mere majority; less than an equal number to *acquit*. In our judicial trials we require unanimity either to condemn or to absolve. In some incorporations one man speaks for the whole; in others, a few. Until the other day, in the Constitution of Poland unanimity was required to give validity to any act of their great

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national council or diet. This approaches much more nearly to rude Nature than the institutions of any other country. Such, indeed, every commonwealth must be, without a positive law to recognize in a certain number the will of the entire body.

If men dissolve their ancient incorporation in order to regenerate their community, in that state of things each man has a right, if he pleases, to remain an individual. Any number of individuals, who can agree upon it, have an undoubted right to form themselves into a state apart and wholly independent. If any of these is forced into the fellowship of another, this is conquest and not compact. On every principle which supposes society to be in virtue of a free covenant, this compulsive incorporation must be null and void.

As a people can have no right to a corporate capacity without universal consent, so neither have they a right to hold exclusively any lands in the name and title of a corporation. On the scheme of the present rulers in our neighboring country, regenerated as they are, they have no more right to the territory called France than I have. I have a right to pitch my tent in any unoccupied place I can find for it; and I may apply to my own maintenance any part of their unoccupied soil. I may purchase the house or vineyard of any individual proprietor who refuses his consent (and most proprietors have, as far as they dared, refused it) to the new incorporation. I stand in his independent place. Who are these insolent men, calling themselves the French nation, that would monopolize this fair domain of Nature? Is it because they speak a certain jargon? Is it their mode of chattering, to me unintelligible, that forms their title to

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my land? Who are they who claim by prescription and descent from certain gangs of banditti called Franks, and Burgundians, and Visigoths, of whom I may have never heard, and ninety-nine out of an hundred of themselves certainly never have heard, whilst at the very time they tell me that prescription and long possession form no title to property? Who are they that presume to assert that the land which I purchased of the individual, a natural person, and not a fiction of state, belongs to them, who in the very capacity in which they make their claim can exist only as an imaginary being, and in virtue of the very prescription which they reject and disown? This mode of arguing might be pushed into all the detail, so as to leave no sort of doubt, that, on their principles, and on the sort of footing on which they have thought proper to place themselves, the crowd of men, on the other side of the Channel, who have the impudence to call themselves a people, can never be the lawful, exclusive possessors of the soil. By what they call reasoning without prejudice, they leave not one stone upon another in the fabric of human society. They subvert all the authority which they hold, as well as all that which they have destroyed.

As in the abstract it is perfectly clear, that, out of a state of civil society, majority and minority are relations which can have no existence, and that, in civil society, its own specific conventions in each corporation determine what it is that constitutes the people, so as to make their act the signification of the general will, — to come to particulars, it is equally clear that neither in France nor in England has the original or any subsequent compact of the state, expressed or implied, constituted *a majority of men, told*

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*by the head*, to be the acting people of their several communities. And I see as little of policy or utility as there is of right, in laying down a principle that a majority of men told by the head are to be considered as the people, and that as such their will is to be law. What policy can there be found in arrangements made in defiance of every political principle? To enable men to act with the weight and character of a people, and to answer the ends for which they are incorporated into that capacity, we must suppose them (by means immediate or consequential) to be in that state of habitual social discipline in which the wiser, the more expert, and the more opulent conduct, and by conducting enlighten and protect, the weaker, the less knowing, and the less provided with the goods of fortune. When the multitude are not under this discipline, they can scarcely be said to be in civil society. Give once a certain constitution of things which produces a variety of conditions and circumstances in a state, and there is in Nature and reason a principle which, for their own benefit, postpones, not the interest, but the judgment, of those who are *numero plures*, to those who are *virtute et honore majores*. Numbers in a state (supposing, which is not the case in France, that a state does exist) are always of consideration, — but they are not the whole consideration. It is in things more serious than a play, that it may be truly said, *Satis est equitem mihi plaudere.*

A true natural aristocracy is not a separate interest in the state, or separable from it. It is an essential integrant part of any large body rightly constituted. It is formed out of a class of legitimate presumptions, which, taken as generalities, must be admitted for

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actual truths. To be bred in a place of estimation; to see nothing low and sordid from one's infancy; to be taught to respect one's self; to be habituated to the censorial inspection of the public eye; to look early to public opinion; to stand upon such elevated ground as to be enabled to take a large view of the wide-spread and infinitely diversified combinations of men and affairs in a large society; to have leisure to read, to reflect, to converse; to be enabled to draw the court and attention of the wise and learned, wherever they are to be found; to be habituated in armies to command and to obey; to be taught to despise danger in the pursuit of honor and duty; to be formed to the greatest degree of vigilance, foresight, and circumspection, in a state of things in which no fault is committed with impunity and the slightest mistakes draw on the most ruinous consequences; to be led to a guarded and regulated conduct, from a sense that you are considered as an instructor of your fellow-citizens in their highest concerns, and that you act as a reconciler between God and man; to be employed as an administrator of law and justice, and to be thereby amongst the first benefactors to mankind; to be a professor of high science, or of liberal and ingenuous art; to be amongst rich traders, who from their success are presumed to have sharp and vigorous understandings, and to possess the virtues of diligence, order, constancy, and regularity, and to have cultivated an habitual regard to commutative justice: these are the circumstances of men that form what I should call a *natural* aristocracy, without which there is no nation.

The state of civil society which necessarily generates this aristocracy is a state of Nature,—and much

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more truly so than a savage and incoherent mode of life. For man is by nature reasonable; and he is never perfectly in his natural state, but when he is placed where reason may be best cultivated and most predominates. Art is man's nature. We are as much, at least, in a state of Nature in formed manhood as in immature and helpless infancy. Men, qualified in the manner I have just described, form in Nature, as she operates in the common modification of society, the leading, guiding, and governing part. It is the soul to the body, without which the man does not exist. To give, therefore, no more importance, in the social order, to such descriptions of men than that of so many units is a horrible usurpation.

When great multitudes act together, under that discipline of Nature, I recognize the PEOPLE. I acknowledge something that perhaps equals, and ought always to guide, the sovereignty of convention. In all things the voice of this grand chorus of national harmony ought to have a mighty and decisive influence. But when you disturb this harmony, — when you break up this beautiful order, this array of truth and Nature, as well as of habit and prejudice, — when you separate the common sort of men from their proper chieftains, so as to form them into an adverse army, — I no longer know that venerable object called the people in such a disbanded race of deserters and vagabonds. For a while they may be terrible, indeed, — but in such a manner as wild beasts are terrible. The mind owes to them no sort of submission. They are, as they have always been reputed, rebels. They may lawfully be fought with, and brought under, whenever an advantage offers. Those who attempt by outrage and violence to de-

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prive men of any advantage which they hold under the laws, and to destroy the natural order of life, proclaim war against them.

We have read in history of that furious insurrection of the common people in France called the *Jacquerie:* for this is not the first time that the people have been enlightened into treason, murder, and rapine. Its object was to extirpate the gentry. The Captal de Buch, a famous soldier of those days, dishonored the name of a gentleman and of a man by taking, for their cruelties, a cruel vengeance on these deluded wretches: it was, however, his right and his duty to make war upon them, and afterwards, in moderation, to bring them to punishment for their rebellion; though in the sense of the French Revolution, and of some of our clubs, they were the *people*, — and were truly so, if you will call by that appellation *any majority of men told by the head.*

At a time not very remote from the same period (for these humors never have affected one of the nations without some influence on the other) happened several risings of the lower commons in England. These insurgents were certainly the majority of the inhabitants of the counties in which they resided; and Cade, Ket, and Straw, at the head of their national guards, and fomented by certain traitors of high rank, did no more than exert, according to the doctrines of ours and the Parisian societies, the sovereign power inherent in the majority.

We call the time of those events a dark age. Indeed, we are too indulgent to our own proficiency. The Abbé John Ball understood the rights of man as well as the Abbé Grégoire. That reverend patriarch of sedition, and prototype of our modern preach-



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ers, was of opinion, with the National Assembly, that all the evils which have fallen upon men had been caused by an ignorance of their "having been born and continued equal as to their rights." Had the populace been able to repeat that profound maxim, all would have gone perfectly well with them. No tyranny, no vexation, no oppression, no care, no sorrow, could have existed in the world. This would have cured them like a charm for the tooth-ache. But the lowest wretches, in their most ignorant state, were able at all times to talk such stuff; and yet at all times have they suffered many evils and many oppressions, both before and since the republication by the National Assembly of this spell of healing potency and virtue. The enlightened Dr. Ball, when he wished to rekindle the lights and fires of his audience on this point, chose for the text the following couplet: —

> When Adam delved and Eve span,
> Who was then the gentleman?

Of this sapient maxim, however, I do not give him for the inventor. It seems to have been handed down by tradition, and had certainly become proverbial; but whether then composed or only applied, thus much must be admitted, that in learning, sense, energy, and comprehensiveness, it is fully equal to all the modern dissertations on the equality of mankind: and it has one advantage over them, — that it is in rhyme.*

* It is no small loss to the world, that the whole of this enlightened and philosophic sermon, preached to *two hundred thousand* national guards assembled at Blackheath (a number probably equal to the sublime and majestic *Fédération* of the 14th of July, 1790, in the Champ de Mars) is not preserved. A short abstract is, however, to

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There is no doubt but that this great teacher of the rights of man decorated his discourse on this valuable text with lemmas, theorems, scholia, corollaries, and all the apparatus of science, which was furnished in

be found in Walsingham. I have added it here for the edification of the modern Whigs, who may possibly except this precious little fragment from their general contempt of ancient learning.

"Ut suâ doctrinâ plures inficeret, ad le Blackheth (ubi ducenta millia hominum communium fuere simul congregata) hujuscemodi sermonem est exorsus.

"Whan Adam dalfe and Eve span,
Who was than a gentleman ?

Continuansque sermonem inceptum, nitebatur per verba proverbii, quod pro themate sumpserat, introducere et probare, *ab initio omnes pares creatos a naturâ*, servitutem per injustam oppressionem nequam hominum introductam contra Dei voluntatem, quia si Deo placuisset servos creâsse, utique in principio mundi constituisset, quis servus, quisve dominus futurus fuisset. Considerarent igitur jam tempus a Deo datum eis, in quo (deposito servitutis jugo diutius) possent, si vellent, libertate diu concupitâ gaudere. Quapropter monuit ut essent viri cordati, et amore boni patrisfamilias excolentis agrum suum, et extirpantis ac resecantis noxia gramina quæ fruges solent opprimere, et ipsi in præsenti facere festinarent. Primò *majores regni dominos occidendo. Deinde juridicos, justiciarios, et juratores patriæ perimendo.* Postremò quoscunque scirent *in posterum communitati nocivos* tollerent de terrâ suâ, sic demum et *pacem* sibimet *parerent et securitatem* in futurum. *Si sublatis majoribus esset inter eos æqua libertas, eadem nobilitas, par dignitas, similisque potestas.*"

Here is displayed at once the whole of the grand *arcanum* pretended to be found out by the National Assembly, for securing future happiness, peace, and tranquillity. There seems, however, to be some doubt whether this venerable protomartyr of philosophy was inclined to carry his own declaration of the rights of men more rigidly into practice than the National Assembly themselves. He was, like them, only preaching licentiousness to the populace to obtain power for himself, if we may believe what is subjoined by the historian.

"Cumque hæc et *plura alia deliramenta*" (think of this old fool's calling all the wise maxims of the French Academy *deliramenta!*) "prædicâsset, commune vulgus eum tanto favore prosequitur, ut *accla-*

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as great plenty and perfection out of the dogmatic and polemic magazines, the old horse-armory of the Schoolmen, among whom the Rev. Dr. Ball was bred, as they can be supplied from the new arsenal at Hack-

*marent eum archiepiscopum futurum, et regni cancellarium.*" Whether he would have taken these situations under these names, or would have changed the whole nomenclature of the State and Church, to be understood in the sense of the Revolution, is not so certain. It is probable that he would have changed the names and kept the substance of power.

We find, too, that they had in those days their *society for constitutional information*, of which the Reverend John Ball was a conspicuous member, sometimes under his own name, sometimes under the feigned name of John Schep. Besides him it consisted (as Knyghton tells us) of persons who went by the real or fictitious names of Jack Mylner, Tom Baker, Jack Straw, Jack Trewman, Jack Carter, and probably of many more. Some of the choicest flowers of the publications charitably written and circulated by them gratis are upon record in Walsingham and Knyghton: and I am inclined to prefer the pithy and sententious brevity of these *bulletins* of ancient rebellion before the loose and confused prolixity of the modern advertisements of constitutional information. They contain more good morality and less bad politics, they had much more foundation in real oppression, and they have the recommendation of being much better adapted to the capacities of those for whose instruction they were intended. Whatever laudable pains the teachers of the present day appear to take, I cannot compliment them so far as to allow that they have succeeded in writing down to the level of their pupils, *the members of the sovereign*, with half the ability of Jack Carter and the Reverend John Ball. That my readers may judge for themselves, I shall give them one or two specimens.

The first is an address from the Reverend John Ball, under his *nom de guerre* of John Schep. I know not against what particular "guyle in borough" the writer means to caution the people; it may have been only a general cry against "*rotten boroughs*," which it was thought convenient, then as now, to make the first pretext, and place at the head of the list of grievances.

JOHN SCHEP.

"Iohn Schep sometime seint Mary priest of Yorke, and now of Col-

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ney. It was, no doubt, disposed with all the adjutancy of definition and division, in which (I speak it with submission) the old marshals were as able as the modern martinets. Neither can we deny that the

chester, greeteth well Iohn Namelesse, and Iohn the Miller, and Iohn Carter, and *biddeth them that they beware of guyle in borough*, and stand together in Gods name, and biddeth Piers Ploweman goe to his werke, and chastise well *Hob the robber*, [probably the king,] and take with you Iohn Trewman, and all his fellows, and no moe.

"Iohn the Miller hath yground smal, small, small:
The kings sonne of heauen shal pay for all.
Beware or ye be woe,
Know your frende fro your foe,
Haue ynough, and say hoe:
And do wel and better, & flee sinne,
*And seeke peace and holde you therin*,

& so biddeth Iohn Trewman & all his fellowes."

The reader has perceived, from the last lines of this curious state-paper, how well the National Assembly has copied its union of the profession of universal peace with the practice of murder and confusion, and the blast of the trumpet of sedition in all nations. He will in the following constitutional paper observe how well, in their enigmatical style, like the Assembly and their abettors, the old philosophers proscribe all hereditary distinction, and bestow it only on virtue and wisdom, according to their estimation of both. Yet these people are supposed never to have heard of "the rights of man"!

JACK MYLNER.

"Jakke Mylner asket help to turne his mylne aright.

"He hath grounden smal smal,
The Kings sone of heven he schal pay for alle.

Loke thy mylne go a rygt, with the foure sayles, and the post stande in steadfastnesse.

"With rygt and with mygt,
With skyl and with wylle,
Lat mygt helpe rygt,
And skyl go before wille,
And rygt before mygt:
Than goth oure mylne aryght.
And if mygt go before ryght,

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philosophic auditory, when they had once obtained this knowledge, could never return to their former ignorance, or after so instructive a lecture be in the same state of mind as if they had never heard it.* But these poor people, who were not to be envied for their knowledge, but pitied for their delusion, were not reasoned, (that was impossible,) but beaten, out of their lights. With their teacher they were delivered over to the lawyers, who wrote in their blood the statutes of the land, as harshly, and in the same sort of ink, as they and their teachers had written the rights of man.

Our doctors of the day are not so fond of quoting the opinions of this ancient sage as they are of imitating his conduct: first, because it might appear that they are not as great inventors as they would be thought; and next, because, unfortunately for his fame, he was not successful. It is a remark liable to as few exceptions as any generality can be, that they who applaud prosperous folly and adore trium-

And wylle before skylle;
Than is oure mylne mys a dygt."

JACK CARTER understood perfectly the doctrine of looking to the *end*, with an indifference to the *means*, and the probability of much good arising from great evil.

"Jakke Carter pryes yowe alle that ye make a gode *ende* of that ye hane begunnen, and doth wele and ay bettur and bettur: for at the even men heryth the day. *For if the ende be wele, than is alle wele.* Lat Peres the Plowman my brother duelle at home and dygt us corne, and I will go with yowe and helpe that y may to dygte youre mete and youre drynke, that ye none fayle: lokke that Hobbe robbyoure be wele chastysed for lesyng of youre grace: for ye have gret nede to take God with yowe in alle youre dedes. For nowe is tyme to be war."

* See the wise remark on this subject in the Defence of Rights of Man, circulated by the societies.

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phant guilt have never been known to succor or even to pity human weakness or offence, when they become subject to human vicissitude, and meet with punishment instead of obtaining power. Abating for their want of sensibility to the sufferings of their associates, they are not so much in the wrong; for madness and wickedness are things foul and deformed in themselves, and stand in need of all the coverings and trappings of fortune to recommend them to the multitude. Nothing can be more loathsome in their naked nature.

Aberrations like these, whether ancient or modern, unsuccessful or prosperous, are things of passage. They furnish no argument for supposing *a multitude told by the head to be the people.* Such a multitude can have no sort of title to alter the seat of power in the society, in which it ever ought to be the obedient, and not the ruling or presiding part. What power may belong to the whole mass, in which mass the natural *aristocracy*, or what by convention is appointed to represent and strengthen it, acts in its proper place, with its proper weight, and without being subjected to violence, is a deeper question. But in that case, and with that concurrence, I should have much doubt whether any rash or desperate changes in the state, such as we have seen in France, could ever be effected.

I have said that in all political questions the consequences of any assumed rights are of great moment in deciding upon their validity. In this point of view let us a little scrutinize the effects of a right in the mere majority of the inhabitants of any country of superseding and altering their government *at pleasure.*

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The sum total of every people is composed of its units. Every individual must have a right to originate what afterwards is to become the act of the majority. Whatever he may lawfully originate he may lawfully endeavor to accomplish. He has a right, therefore, in his own particular, to break the ties and engagements which bind him to the country in which he lives; and he has a right to make as many converts to his opinions, and to obtain as many associates in his designs, as he can procure: for how can you know the dispositions of the majority to destroy their government, but by tampering with some part of the body? You must begin by a secret conspiracy, that you may end with a national confederation. The mere pleasure of the beginner must be the sole guide; since the mere pleasure of others must be the sole ultimate sanction, as well as the sole actuating principle in every part of the progress. Thus, arbitrary will (the last corruption of ruling power) step by step poisons the heart of every citizen. If the undertaker fails, he has the misfortune of a rebel, but not the guilt. By such doctrines, all love to our country, all pious veneration and attachment to its laws and customs, are obliterated from our minds; and nothing can result from this opinion, when grown into a principle, and animated by discontent, ambition, or enthusiasm, but a series of conspiracies and seditions, sometimes ruinous to their authors, always noxious to the state. No sense of duty can prevent any man from being a leader or a follower in such enterprises. Nothing restrains the tempter; nothing guards the tempted. Nor is the new state, fabricated by such arts, safer than the old. What can prevent the mere will of any person, who hopes

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to unite the wills of others to his own, from an attempt wholly to overturn it? It wants nothing but a disposition to trouble the established order, to give a title to the enterprise.

When you combine this principle of the right to change a fixed and tolerable constitution of things at pleasure with the theory and practice of the French Assembly, the political, civil, and moral irregularity are, if possible, aggravated. The Assembly have found another road, and a far more commodious, to the destruction of an old government, and the legitimate formation of a new one, than through the previous will of the majority of what they call the people. Get, say they, the possession of power by any means you can into your hands; and then a subsequent consent (what they call an *address of adhesion*) makes your authority as much the act of the people as if they had conferred upon you originally that kind and degree of power which without their permission you had seized upon. This is to give a direct sanction to fraud, hypocrisy, perjury, and the breach of the most sacred trusts that can exist between man and man. What can sound with such horrid discordance in the moral ear as this position, — that a delegate with limited powers may break his sworn engagements to his constituent, assume an authority, never committed to him, to alter all things at his pleasure, and then, if he can persuade a large number of men to flatter him in the power he has usurped, that he is absolved in his own conscience, and ought to stand acquitted in the eyes of mankind? On this scheme, the maker of the experiment must begin with a determined perjury. That point is certain. He must take his chance for the expiatory

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addresses. This is to make the success of villany the standard of innocence.

Without drawing on, therefore, very shocking consequences, neither by previous consent, nor by subsequent ratification of a *mere reckoned majority*, can any set of men attempt to dissolve the state at their pleasure. To apply this to our present subject. When the several orders, in their several bailliages, had met in the year 1789, (such of them, I mean, as had met peaceably and constitutionally,) to choose and to instruct their representatives, so organized and so acting, (because they were organized and were acting according to the conventions which made them a people,) they were the *people* of France. They had a legal and a natural capacity to be considered as that people. But observe, whilst they were in this state, that is, whilst they were a people, in no one of their instructions did they charge or even hint at any of those things which have drawn upon the usurping Assembly and their adherents the detestation of the rational and thinking part of mankind. I will venture to affirm, without the least apprehension of being contradicted by any person who knows the then state of France, that, if any one of the changes were proposed, which form the fundamental parts of their Revolution, and compose its most distinguishing acts, it would not have had one vote in twenty thousand in any order. Their instructions purported the direct contrary to all those famous proceedings which are defended as the acts of the people. Had such proceedings been expected, the great probability is, that the people would then have risen, as to a man, to prevent them. The whole organization of the Assembly was altered, the

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whole frame of the kingdom was changed, before these things could be done. It is long to tell, by what evil arts of the conspirators, and by what extreme weakness and want of steadiness in the lawful government, this equal usurpation on the rights of the prince and people, having first cheated, and then offered violence to both, has been able to triumph, and to employ with success the forged signature of an imprisoned sovereign, and the spurious voice of dictated addresses, to a subsequent ratification of things that had never received any previous sanction, general or particular, expressed or implied, from the nation, (in whatever sense that word is taken,) or from any part of it.

After the weighty and respectable part of the people had been murdered, or driven by the menaces of murder from their houses, or were dispersed in exile into every country in Europe, — after the soldiery had been debauched from their officers, — after property had lost its weight and consideration, along with its security, — after voluntary clubs and associations of factious and unprincipled men were substituted in the place of all the legal corporations of the kingdom arbitrarily dissolved, — after freedom had been banished from those popular meetings * whose sole rec ommendation is freedom, — after it had come to that pass that no dissent dared to appear in any of them, but at the certain price of life, — after even dissent had been anticipated, and assassination became as quick as suspicion, — such pretended ratification by addresses could be no act of what any lover of the people would choose to call by their name. It is that voice which every successful usurpation, as well as

* The primary assemblies.

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this before us, may easily procure, even without making (as these tyrants have made) donatives from the spoil of one part of the citizens to corrupt the other.

The pretended *rights of man*, which have made this havoc, cannot be the rights of the people. For to be a people, and to have these rights, are things incompatible. The one supposes the presence, the other the absence, of a state of civil society. The very foundation of the French commonwealth is false and self-destructive; nor can its principles be adopted in any country, without the certainty of bringing it to the very same condition in which France is found. Attempts are made to introduce them into every nation in Europe. This nation, as possessing the greatest influence, they wish most to corrupt, as by that means they are assured the contagion must become general. I hope, therefore, I shall be excused, if I endeavor to show, as shortly as the matter will admit, the danger of giving to them, either avowedly or tacitly, the smallest countenance.

There are times and circumstances in which not to speak out is at least to connive. Many think it enough for them, that the principles propagated by these clubs and societies, enemies to their country and its Constitution, are not owned by the *modern Whigs in Parliament*, who are so warm in condemnation of Mr. Burke and his book, and of course of all the principles of the ancient, constitutional Whigs of this kingdom. Certainly they are not owned. But are they condemned with the same zeal as Mr. Burke and his book are condemned? Are they condemned at all? Are they rejected or discountenanced in any way whatsoever? Is any man who would fairly examine into the demeanor and prin-

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ciples of those societies, and that too very moderately, and in the way rather of admonition than of punishment, is such a man even decently treated? Is he not reproached as if in condemning such principles he had belied the conduct of his whole life, suggesting that his life had been governed by principles similar to those which he now reprobates? The French system is in the mean time, by many active agents out of doors, rapturously praised; the British Constitution is coldly tolerated. But these Constitutions are different both in the foundation and in the whole superstructure; and it is plain that you cannot build up the one but on the ruins of the other. After all, if the French be a superior system of liberty, why should we not adopt it? To what end are our praises? Is excellence held out to us only that we should not copy after it? And what is there in the manners of the people, or in the climate of France, which renders that species of republic fitted for them, and unsuitable to us? A strong and marked difference between the two nations ought to be shown, before we can admit a constant, affected panegyric, a standing, annual commemoration, to be without any tendency to an example.

But the leaders of party will not go the length of the doctrines taught by the seditious clubs. I am sure they do not mean to do so. God forbid! Perhaps even those who are directly carrying on the work of this pernicious foreign faction do not all of them intend to produce all the mischiefs which must inevitably follow from their having any success in their proceedings. As to leaders in parties, nothing is more common than to see them blindly led. The world is governed by go-betweens. These

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go-betweens influence the persons with whom they carry on the intercourse, by stating their own sense to each of them as the sense of the other; and thus they reciprocally master both sides. It is first buzzed about the ears of leaders, "that their friends without doors are very eager for some measure, or very warm about some opinion,—that you must not be too rigid with them. They are useful persons, and zealous in the cause. They may be a little wrong, but the spirit of liberty must not be damped; and by the influence you obtain from some degree of concurrence with them at present, you may be enabled to set them right hereafter."

Thus the leaders are at first drawn to a connivance with sentiments and proceedings often totally different from their serious and deliberate notions. But their acquiescence answers every purpose.

With no better than such powers, the go-betweens assume a new representative character. What at best was but an acquiescence is magnified into an authority, and thence into a desire on the part of the leaders; and it is carried down as such to the subordinate members of parties. By this artifice they in their turn are led into measures which at first, perhaps, few of them wished at all, or at least did not desire vehemently or systematically.

There is in all parties, between the principal leaders in Parliament and the lowest followers out of doors, a middle sort of men, a sort of equestrian order, who, by the spirit of that middle situation, are the fittest for preventing things from running to excess. But indecision, though a vice of a totally different character, is the natural accomplice of violence. The irresolution and timidity of those who

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compose this middle order often prevents the effect of their controlling situation. The fear of differing with the authority of leaders on the one hand, and of contradicting the desires of the multitude on the other, induces them to give a careless and passive assent to measures in which they never were consulted; and thus things proceed, by a sort of activity of inertness, until whole bodies, leaders, middle-men, and followers, are all hurried, with every appearance and with many of the effects of unanimity, into schemes of politics, in the substance of which no two of them were ever fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it possible to trace. In my experience, I have seen much of this in affairs which, though trifling in comparison to the present, were yet of some importance to parties; and I have known them suffer by it. The sober part give their sanction, at first through inattention and levity; at last they give it through necessity. A violent spirit is raised, which the presiding minds after a time find it impracticable to stop at their pleasure, to control, to regulate, or even to direct.

This shows, in my opinion, how very quick and awakened all men ought to be, who are looked up to by the public, and who deserve that confidence, to prevent a surprise on their opinions, when dogmas are spread and projects pursued by which the foundations of society may be affected. Before they listen even to moderate alterations in the government of their country, they ought to take care that principles are not propagated for that purpose which are too big for their object. Doctrines limited in their present application, and wide in their general principles,

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are never meant to be confined to what they at first pretend. If I were to form a prognostic of the effect of the present machinations on the people from their sense of any grievance they suffer under this Constitution, my mind would be at ease. But there is a wide difference between the multitude, when they act against their government from a sense of grievance or from zeal for some opinions. When men are thoroughly possessed with that zeal, it is difficult to calculate its force. It is certain that its power is by no means in exact proportion to its reasonableness. It must always have been discoverable by persons of reflection, but it is now obvious to the world, that a theory concerning government may become as much a cause of fanaticism as a dogma in religion. There is a boundary to men's passions, when they act from feeling; none when they are under the influence of imagination. Remove a grievance, and, when men act from feeling, you go a great way towards quieting a commotion. But the good or bad conduct of a government, the protection men have enjoyed or the oppression they have suffered under it, are of no sort of moment, when a faction, proceeding upon speculative grounds, is thoroughly heated against its form. When a man is from system furious against monarchy or episcopacy, the good conduct of the monarch or the bishop has no other effect than further to irritate the adversary. He is provoked at it as furnishing a plea for preserving the thing which he wishes to destroy. His mind will be heated as much by the sight of a sceptre, a mace, or a verge, as if he had been daily bruised and wounded by these symbols of authority. Mere spectacles, mere names, will become sufficient causes to stimulate the people to war and tumult.

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Some gentlemen are not terrified by the facility with which government has been overturned in France. "The people of France," they say, "had nothing to lose in the destruction of a bad Constitution; but, though not the best possible, we have still a good stake in ours, which will hinder us from desperate risks." Is this any security at all against those who seem to persuade themselves, and who labor to persuade others, that our Constitution is an usurpation in its origin, unwise in its contrivance, mischievous in its effects, contrary to the rights of man, and in all its parts a perfect nuisance? What motive has any rational man, who thinks in that manner, to spill his blood, or even to risk a shilling of his fortune, or to waste a moment of his leisure, to preserve it? If he has any duty relative to it, his duty is to destroy it. A Constitution on sufferance is a Constitution condemned. Sentence is already passed upon it. The execution is only delayed. On the principles of these gentlemen, it neither has nor ought to have any security. So far as regards them, it is left naked, without friends, partisans, assertors, or protectors.

Let us examine into the value of this security upon the principles of those who are more sober, — of those who think, indeed, the French Constitution better, or at least as good as the British, without going to all the lengths of the warmer politicians in reprobating their own. Their security amounts in reality to nothing more than this, — that the difference between their republican system and the British limited monarchy is not worth a civil war. This opinion, I admit, will prevent people not very enterprising in their nature from an active undertaking against the Brit-



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ish Constitution. But it is the poorest defensive principle that ever was infused into the mind of man against the attempts of those who will enterprise. It will tend totally to remove from their minds that very terror of a civil war which is held out as our sole security. They who think so well of the French Constitution certainly will not be the persons to carry on a war to prevent their obtaining a great benefit, or at worst a fair exchange. They will not go to battle in favor of a cause in which their defeat might be more advantageous to the public than their victory. They must at least tacitly abet those who endeavor to make converts to a sound opinion; they must discountenance those who would oppose its propagation. In proportion as by these means the enterprising party is strengthened, the dread of a struggle is lessened. See what an encouragement this is to the enemies of the Constitution! A few assassinations and a very great destruction of property we know they consider as no real obstacles in the way of a grand political change. And they will hope, that here, if antimonarchical opinions gain ground as they have done in France, they may, as in France, accomplish a revolution without a war.

They who think so well of the French Constitution cannot be seriously alarmed by any progress made by its partisans. Provisions for security are not to be received from those who think that there is no danger. No! there is no plan of security to be listened to but from those who entertain the same fears with ourselves,—from those who think that the thing to be secured is a great blessing, and the thing against which we would secure it a great mischief. Every person of a different opinion must be careless about security.

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I believe the author of the Reflections, whether he fears the designs of that set of people with reason or not, cannot prevail on himself to despise them. He cannot despise them for their numbers, which, though small, compared with the sound part of the community, are not inconsiderable: he cannot look with contempt on their influence, their activity, or the kind of talents and tempers which they possess, exactly calculated for the work they have in hand and the minds they chiefly apply to. Do we not see their most considerable and accredited ministers, and several of their party of weight and importance, active in spreading mischievous opinions, in giving sanction to seditious writings, in promoting seditious anniversaries? and what part of their description has disowned them or their proceedings? When men, circumstanced as these are, publicly declare such admiration of a foreign Constitution, and such contempt of our own, it would be, in the author of the Reflections, thinking as he does of the French Constitution, infamously to cheat the rest of the nation to their ruin to say there is no danger.

In estimating danger, we are obliged to take into our calculation the character and disposition of the enemy into whose hands we may chance to fall. The genius of this faction is easily discerned, by observing with what a very different eye they have viewed the late foreign revolutions. Two have passed before them: that of France, and that of Poland. The state of Poland was such, that there could scarcely exist two opinions, but that a reformation of its Constitution, even at some expense of blood, might be seen without much disapprobation. No confusion could be feared in such an enterprise; because the establishment to

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be reformed was itself a state of confusion. A king without authority; nobles without union or subordination; a people without arts, industry, commerce, or liberty; no order within, no defence without; no effective public force, but a foreign force, which entered a naked country at will, and disposed of everything at pleasure. Here was a state of things which seemed to invite, and might perhaps justify, bold enterprise and desperate experiment. But in what manner was this chaos brought into order? The means were as striking to the imagination as satisfactory to the reason and soothing to the moral sentiments. In contemplating that change, humanity has everything to rejoice and to glory in,—nothing to be ashamed of, nothing to suffer. So far as it has gone, it probably is the most pure and defecated public good which ever has been conferred on mankind. We have seen anarchy and servitude at once removed; a throne strengthened for the protection of the people, without trenching on their liberties; all foreign cabal banished, by changing the crown from elective to hereditary; and what was a matter of pleasing wonder, we have seen a reigning king, from an heroic love to his country, exerting himself with all the toil, the dexterity, the management, the intrigue, in favor of a family of strangers, with which ambitious men labor for the aggrandizement of their own. Ten millions of men in a way of being freed gradually, and therefore safely to themselves and the state, not from civil or political chains, which, bad as they are, only fetter the mind, but from substantial personal bondage. Inhabitants of cities, before without privileges, placed in the consideration which belongs to that improved and connecting situation of

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social life. One of the most proud, numerous, and fierce bodies of nobility and gentry ever known in the world arranged only in the foremost rank of free and generous citizens. Not one man incurred loss or suffered degradation. All, from the king to the day-laborer, were improved in their condition. Everything was kept in its place and order; but in that place and order everything was bettered. To add to this happy wonder, this unheard-of conjunction of wisdom and fortune, not one drop of blood was spilled; no treachery; no outrage; no system of slander more cruel than the sword; no studied insults on religion, morals, or manners; no spoil; no confiscation; no citizen beggared; none imprisoned; none exiled: the whole was effected with a policy, a discretion, an unanimity and secrecy, such as have never been before known on any occasion; but such wonderful conduct was reserved for this glorious conspiracy in favor of the true and genuine rights and interests of men. Happy people, if they know to proceed as they have begun! Happy prince, worthy to begin with splendor or to close with glory a race of patriots and of kings, and to leave

> A name, which every wind to heaven would bear,
> Which men to speak, and angels joy to hear!

To finish all, — this great good, as in the instant it is, contains in it the seeds of all further improvement, and may be considered as in a regular progress, because founded on similar principles, towards the stable excellence of a British Constitution.

Here was a matter for congratulation and for festive remembrance through ages. Here moralists and divines might indeed relax in their temperance, to exhilarate their humanity. But mark the character

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of our faction. All their enthusiasm is kept for the French Revolution. They cannot pretend that France had stood so much in need of a change as Poland. They cannot pretend that Poland has not obtained a better system of liberty or of government than it enjoyed before. They cannot assert that the Polish Revolution cost more dearly than that of France to the interests and feelings of multitudes of men. But the cold and subordinate light in which they look upon the one, and the pains they take to preach up the other of these Revolutions, leave us no choice in fixing on their motives. Both Revolutions profess liberty as their object; but in obtaining this object the one proceeds from anarchy to order, the other from order to anarchy. The first secures its liberty by establishing its throne; the other builds its freedom on the subversion of its monarchy. In the one, their means are unstained by crimes, and their settlement favors morality; in the other, vice and confusion are in the very essence of their pursuit, and of their enjoyment. The circumstances in which these two events differ must cause the difference we make in their comparative estimation. These turn the scale with the societies in favor of France. *Ferrum est quod amant.* The frauds, the violences, the sacrileges, the havoc and ruin of families, the dispersion and exile of the pride and flower of a great country, the disorder, the confusion, the anarchy, the violation of property, the cruel murders, the inhuman confiscations, and in the end the insolent domination of bloody, ferocious, and senseless clubs, — these are the things which they love and admire. What men admire and love they would surely act. Let us see what is done in France; and then let us undervalue any the slightest danger

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of falling into the hands of such a merciless and savage faction!

"But the leaders of the factious societies are too wild to succeed in this their undertaking." I hope so. But supposing them wild and absurd, is there no danger but from wise and reflecting men? Perhaps the greatest mischiefs that have happened in the world have happened from persons as wild as those we think the wildest. In truth, they are the fittest beginners of all great changes. Why encourage men in a mischievous proceeding, because their absurdity may disappoint their malice? — "But noticing them may give them consequence." Certainly. But they are noticed; and they are noticed, not with reproof, but with that kind of countenance which is given by an *apparent* concurrence (not a *real* one, I am convinced) of a great party in the praises of the object which they hold out to imitation.

But I hear a language still more extraordinary, and indeed of such a nature as must suppose or leave us at their mercy. It is this: — "You know their promptitude in writing, and their diligence in caballing; to write, speak, or act against them will only stimulate them to new efforts." This way of considering the principle of their conduct pays but a poor compliment to these gentlemen. They pretend that their doctrines are infinitely beneficial to mankind; but it seems they would keep them to themselves, if they were not greatly provoked. They are benevolent from spite. Their oracles are like those of Proteus, (whom some people think they resemble in many particulars,) who never would give his responses, unless you used him as ill as possible. These cats, it seems, would not give out their electrical light without having

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their backs well rubbed. But this is not to do them perfect justice. They are sufficiently communicative. Had they been quiet, the propriety of any agitation of topics on the origin and primary rights of government, in opposition to their private sentiments, might possibly be doubted. But, as it is notorious that they were proceeding as fast and as far as time and circumstances would admit, both in their discussions and cabals, — as it is not to be denied that they had opened a correspondence with a foreign faction the most wicked the world ever saw, and established anniversaries to commemorate the most monstrous, cruel, and perfidious of all the proceedings of that faction, — the question is, whether their conduct was to be regarded in silence, lest our interference should render them outrageous. Then let them deal as they please with the Constitution. Let the lady be passive, lest the ravisher should be driven to force. Resistance will only increase his desires. Yes, truly, if the resistance be feigned and feeble. But they who are wedded to the Constitution will not act the part of wittols. They will drive such seducers from the house on the first appearance of their love-letters and offered assignations. But if the author of the Reflections, though a vigilant, was not a discreet guardian of the Constitution, let them who have the same regard to it show themselves as vigilant and more skilful in repelling the attacks of seduction or violence. Their freedom from jealousy is equivocal, and may arise as well from indifference to the object as from confidence in her virtue.

On their principle, it is the resistance, and not the assault, which produces the danger. I admit, indeed, that, if we estimated the danger by the value of the

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writings, it would be little worthy of our attention: contemptible these writings are in every sense. But they are not the cause, they are the disgusting symptoms of a frightful distemper. They are not otherwise of consequence than as they show the evil habit of the bodies from whence they come. In that light the meanest of them is a serious thing. If, however, I should underrate them, and if the truth is, that they are not the result, but the cause, of the disorders I speak of, surely those who circulate operative poisons, and give to whatever force they have by their nature the further operation of their authority and adoption, are to be censured, watched, and, if possible, repressed.

At what distance the direct danger from such factions may be it is not easy to fix. An adaptation of circumstances to designs and principles is necessary. But these cannot be wanting for any long time, in the ordinary course of sublunary affairs. Great discontents frequently arise in the best constituted governments from causes which no human wisdom can foresee and no human power can prevent. They occur at uncertain periods, but at periods which are not commonly far asunder. Governments of all kinds are administered only by men; and great mistakes, tending to inflame these discontents, may concur. The indecision of those who happen to rule at the critical time, their supine neglect, or their precipitate and ill-judged attention, may aggravate the public misfortunes. In such a state of things, the principles, now only sown, will shoot out and vegetate in full luxuriance. In such circumstances the minds of the people become sore and ulcerated. They are put out of humor with all public men and all public

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parties; they are fatigued with their dissensions; they are irritated at their coalitions; they are made easily to believe (what much pains are taken to make them believe) that all oppositions are factious, and all courtiers base and servile. From their disgust at men, they are soon led to quarrel with their frame of government, which they presume gives nourishment to the vices, real or supposed, of those who administer in it. Mistaking malignity for sagacity, they are soon led to cast off all hope from a good administration of affairs, and come to think that all reformation depends, not on a change of actors, but upon an alteration in the machinery. Then will be felt the full effect of encouraging doctrines which tend to make the citizens despise their Constitution. Then will be felt the plenitude of the mischief of teaching the people to believe that all ancient institutions are the results of ignorance, and that all prescriptive government is in its nature usurpation. Then will be felt, in all its energy, the danger of encouraging a spirit of litigation in persons of that immature and imperfect state of knowledge which serves to render them susceptible of doubts, but incapable of their solution. Then will be felt, in all its aggravation, the pernicious consequence of destroying all docility in the minds of those who are not formed for finding their own way in the labyrinths of political theory, and are made to reject the clew and to disdain the guide. Then will be felt, and too late will be acknowledged, the ruin which follows the disjoining of religion from the state, the separation of morality from policy, and the giving conscience no concern and no coactive or coercive force in the most material of all the social ties, the principle of our obligations to government.

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I know, too, that, besides this vain, contradictory, and self-destructive security which some men derive from the habitual attachment of the people to this Constitution, whilst they suffer it with a sort of sportive acquiescence to be brought into contempt before their faces, they have other grounds for removing all apprehension from their minds. They are of opinion that there are too many men of great hereditary estates and influence in the kingdom to suffer the establishment of the levelling system which has taken place in France. This is very true, if, in order to guide the power which now attends their property, these men possess the wisdom which is involved in early fear. But if, through a supine security, to which such fortunes are peculiarly liable, they neglect the use of their influence in the season of their power, on the first derangement of society the nerves of their strength will be cut. Their estates, instead of being the means of their security, will become the very causes of their danger. Instead of bestowing influence, they will excite rapacity. They will be looked to as a prey.

Such will be the impotent condition of those men of great hereditary estates, who indeed dislike the designs that are carried on, but whose dislike is rather that of spectators than of parties that may be concerned in the catastrophe of the piece. But riches do not in all cases secure even an inert and passive resistance. There are always in that description men whose fortunes, when their minds are once vitiated by passion or by evil principle, are by no means a security from their actually taking their part against the public tranquillity. We see to what low and despicable passions of all kinds many men in that class

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are ready to sacrifice the patrimonial estates which might be perpetuated in their families with splendor, and with the fame of hereditary benefactors to mankind, from generation to generation. Do we not see how lightly people treat their fortunes, when under the influence of the passion of gaming? The game of ambition or resentment will be played by many of the rich and great as desperately, and with as much blindness to the consequences, as any other game. Was he a man of no rank or fortune who first set on foot the disturbances which have ruined France? Passion blinded him to the consequences, so far as they concerned himself; and as to the consequences with regard to others, they were no part of his consideration, — nor ever will be with those who bear any resemblance to that virtuous patriot and lover of the rights of man.

There is also a time of insecurity, when interests of all sorts become objects of speculation. Then it is that their very attachment to wealth and importance will induce several persons of opulence to list themselves and even to take a lead with the party which they think most likely to prevail, in order to obtain to themselves consideration in some new order or disorder of things. They may be led to act in this manner, that they may secure some portion of their own property, and perhaps to become partakers of the spoil of their own order. Those who speculate on change always make a great number among people of rank and fortune, as well as amongst the low and the indigent.

What security against all this? — All human securities are liable to uncertainty. But if anything bids fair for the prevention of so great a calamity,

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it must consist in the use of the ordinary means of just influence in society, whilst those means continue unimpaired. The public judgment ought to receive a proper direction. All weighty men may have their share in so good a work. As yet, notwithstanding the strutting and lying independence of a braggart philosophy, Nature maintains her rights, and great names have great prevalence. Two such men as Mr. Pitt and Mr. Fox, adding to their authority in a point in which they concur even by their disunion in everything else, might frown these wicked opinions out of the kingdom. But if the influence of either of them, or the influence of men like them, should, against their serious intentions, be otherwise perverted, they may countenance opinions which (as I have said before, and could wish over and over again to press) they may in vain attempt to control. In their theory, these doctrines admit no limit, no qualification whatsoever. No man can say how far he will go, who joins with those who are avowedly going to the utmost extremities. What security is there for stopping short at all in these wild conceits? Why, neither more nor less than this,— that the moral sentiments of some few amongst them do put some check on their savage theories. But let us take care. The moral sentiments, so nearly connected with early prejudice as to be almost one and the same thing, will assuredly not live long under a discipline which has for its basis the destruction of all prejudices, and the making the mind proof against all dread of consequences flowing from the pretended truths that are taught by their philosophy.

In this school the moral sentiments must grow weaker and weaker every day. The more cautious

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of these teachers, in laying down their maxims, draw as much of the conclusion as suits, not with their premises, but with their policy. They trust the rest to the sagacity of their pupils. Others, and these are the most vaunted for their spirit, not only lay down the same premises, but boldly draw the conclusions, to the destruction of our whole Constitution in Church and State. But are these conclusions truly drawn? Yes, most certainly. Their principles are wild and wicked; but let justice be done even to frenzy and villany. These teachers are perfectly systematic. No man who assumes their grounds can tolerate the British Constitution in Church or State. These teachers profess to scorn all mediocrity, — to engage for perfection, — to proceed by the simplest and shortest course. They build their politics, not on convenience, but on truth; and they profess to conduct men to certain happiness by the assertion of their undoubted rights. With them there is no compromise. All other governments are usurpations, which justify and even demand resistance.

Their principles always go to the extreme. They who go with the principles of the ancient Whigs, which are those contained in Mr. Burke's book, never can go too far. They may, indeed, stop short of some hazardous and ambiguous excellence, which they will be taught to postpone to any reasonable degree of good they may actually possess. The opinions maintained in that book never can lead to an extreme, because their foundation is laid in an opposition to extremes. The foundation of government is there laid, not in imaginary rights of men, (which at best is a confusion of judicial with civil principles,) but in political convenience, and in hu-

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man nature, — either as that nature is universal, or as it is modified by local habits and social aptitudes. The foundation of government (those who have read that book will recollect) is laid in a provision for our wants and in a conformity to our duties: it is to purvey for the one, it is to enforce the other. These doctrines do of themselves gravitate to a middle point, or to some point near a middle. They suppose, indeed, a certain portion of liberty to be essential to all good government; but they infer that this liberty is to be blended into the government, to harmonize with its forms and its rules, and to be made subordinate to its end. Those who are not with that book are with its opposite; for there is no medium besides the medium itself. That medium is not such because it is found there, but it is found there because it is conformable to truth and Nature. In this we do not follow the author, but we and the author travel together upon the same safe and middle path.

The theory contained in his book is not to furnish principles for making a new Constitution, but for illustrating the principles of a Constitution already made. It is a theory drawn from the *fact* of our government. They who oppose it are bound to show that his theory militates with that fact; otherwise, their quarrel is not with his book, but with the Constitution of their country. The whole scheme of our mixed Constitution is to prevent any one of its principles from being carried as far as, taken by itself, and theoretically, it would go. Allow that to be the true policy of the British system, then most of the faults with which that system stands charged will appear to be, not imperfections into which it has inadvertently fallen, but excellencies which it has

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studiously sought. To avoid the perfections of extreme, all its several parts are so constituted as not alone to answer their own several ends, but also each to limit and control the others; insomuch that, take which of the principles you please, you will find its operation checked and stopped at a certain point. The whole movement stands still rather than that any part should proceed beyond its boundary. From thence it results that in the British Constitution there is a perpetual treaty and compromise going on, sometimes openly, sometimes with less observation. To him who contemplates the British Constitution, as to him who contemplates the subordinate material world, it will always be a matter of his most curious investigation to discover the secret of this mutual limitation.

*Finita* potestas denique *cuique*
Quanam sit ratione, atque alte terminus hærens?

They who have acted, as in France they have done, upon a scheme wholly different, and who aim at the abstract and unlimited perfection of power in the popular part, can be of no service to us in any of our political arrangements. They who in their headlong career have overpassed the goal can furnish no example to those who aim to go no further. The temerity of such speculators is no more an example than the timidity of others. The one sort scorns the right; the other fears it; both miss it. But those who by violence go beyond the barrier are without question the most mischievous; because, to go beyond it, they overturn and destroy it. To say they have spirit is to say nothing in their praise. The untempered spirit of madness, blindness, immorality, and impiety deserves no commendation. He that sets his

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house on fire because his fingers are frost-bitten can never be a fit instructor in the method of providing our habitations with a cheerful and salutary warmth. We want no foreign examples to rekindle in us the flame of liberty. The example of our own ancestors is abundantly sufficient to maintain the spirit of freedom in its full vigor, and to qualify it in all its exertions. The example of a wise, moral, well-natured, and well-tempered spirit of freedom is that alone which can be useful to us, or in the least degree reputable or safe. Our fabric is so constituted, one part of it bears so much on the other, the parts are so made for one another, and for nothing else, that to introduce any foreign matter into it is to destroy it.

What has been said of the Roman Empire is at least as true of the British Constitution: — "*Octingentorum annorum fortuna disciplinaque compages hæc coaluit; quæ convelli sine convellentium exitio non potest.*" This British Constitution has not been struck out at an heat by a set of presumptuous men, like the Assembly of pettifoggers run mad in Paris.

> "'T is not the hasty product of a day,
> But the well-ripened fruit of wise delay."

It is the result of the thoughts of many minds in many ages. It is no simple, no superficial thing, nor to be estimated by superficial understandings. An ignorant man, who is not fool enough to meddle with his clock, is, however, sufficiently confident to think he can safely take to pieces and put together, at his pleasure, a moral machine of another guise, importance, and complexity, composed of far other wheels and springs and balances and counteracting and coöperating powers. Men little think how im-



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morally they act in rashly meddling with what they do not understand. Their delusive good intention is no sort of excuse for their presumption. They who truly mean well must be fearful of acting ill. The British Constitution may have its advantages pointed out to wise and reflecting minds, but it is of too high an order of excellence to be adapted to those which are common. It takes in too many views, it makes too many combinations, to be so much as comprehended by shallow and superficial understandings. Profound thinkers will know it in its reason and spirit. The less inquiring will recognize it in their feelings and their experience. They will thank God they have a standard, which, in the most essential point of this great concern, will put them on a par with the most wise and knowing.

If we do not take to our aid the foregone studies of men reputed intelligent and learned, we shall be always beginners. But men must learn somewhere; and the new teachers mean no more than what they effect, as far as they succeed, — that is, to deprive men of the benefit of the collected wisdom of mankind, and to make them blind disciples of their own particular presumption. Talk to these deluded creatures (all the disciples and most of the masters) who are taught to think themselves so newly fitted up and furnished, and you will find nothing in their houses but the refuse of *Knaves' Acre*, — nothing but the rotten stuff, worn out in the service of delusion and sedition in all ages, and which, being newly furbished up, patched, and varnished, serves well enough for those who, being unacquainted with the conflict which has always been maintained between the sense and the nonsense of mankind, know noth-

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ing of the former existence and the ancient refutation of the same follies. It is near two thousand years since it has been observed that these devices of ambition, avarice, and turbulence were antiquated. They are, indeed, the most ancient of all commonplaces: commonplaces sometimes of good and necessary causes; more frequently of the worst, but which decide upon neither. *Eadem semper causa, libido et avaritia, et mutandarum rerum amor. Ceterum libertas et speciosa nomina pretexuntur; nec quisquam alienum servitium, et dominationem sibi concupivit, ut non eadem ista vocabula usurparet.*

Rational and experienced men tolerably well know, and have always known, how to distinguish between true and false liberty, and between the genuine adherence and the false pretence to what is true. But none, except those who are profoundly studied, can comprehend the elaborate contrivance of a fabric fitted to unite private and public liberty with public force, with order, with peace, with justice, and, above all, with the institutions formed for bestowing permanence and stability, through ages, upon this invaluable whole.

Place, for instance, before your eyes such a man as Montesquieu. Think of a genius not born in every country or every time: a man gifted by Nature with a penetrating, aquiline eye, — with a judgment prepared with the most extensive erudition, — with an Herculean robustness of mind, and nerves not to be broken with labor, — a man who could spend twenty years in one pursuit. Think of a man like the universal patriarch in Milton (who had drawn up before him in his prophetic vision the whole series of the generations which were to issue from his loins):

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a man capable of placing in review, after having brought together from the East, the West, the North, and the South, from the coarseness of the rudest barbarism to the most refined and subtle civilization, all the schemes of government which had ever prevailed amongst mankind, weighing, measuring, collating, and comparing them all, joining fact with theory, and calling into council, upon all this infinite assemblage of things, all the speculations which have fatigued the understandings of profound reasoners in all times. Let us then consider, that all these were but so many preparatory steps to qualify a man, and such a man, tinctured with no national prejudice, with no domestic affection, to admire, and to hold out to the admiration of mankind, the Constitution of England. And shall we Englishmen revoke to such a suit? Shall we, when so much more than he has produced remains still to be understood and admired, instead of keeping ourselves in the schools of real science, choose for our teachers men incapable of being taught, — whose only claim to know is, that they have never doubted, — from whom we can learn nothing but their own indocility, — who would teach us to scorn what in the silence of our hearts we ought to adore?

Different from them are all the great critics. They have taught us one essential rule. I think the excellent and philosophic artist, a true judge, as well as a perfect follower of Nature, Sir Joshua Reynolds, has somewhere applied it, or something like it, in his own profession. It is this: that, if ever we should find ourselves disposed not to admire those writers or artists (Livy and Virgil, for instance, Raphael or Michael Angelo) whom all the learned had admired,

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not to follow our own fancies, but to study them, until we know how and what we ought to admire; and if we cannot arrive at this combination of admiration with knowledge, rather to believe that we are dull than that the rest of the world has been imposed on. It is as good a rule, at least, with regard to this admired Constitution. We ought to understand it according to our measure, and to venerate where we are not able presently to comprehend.

Such admirers were our fathers, to whom we owe this splendid inheritance. Let us improve it with zeal, but with fear. Let us follow our ancestors, men not without a rational, though without an exclusive confidence in themselves, — who, by respecting the reason of others, who, by looking backward as well as forward, by the modesty as well as by the energy of their minds, went on insensibly drawing this Constitution nearer and nearer to its perfection, by never departing from its fundamental principles, nor introducing any amendment which had not a subsisting root in the laws, Constitution, and usages of the kingdom. Let those who have the trust of political or of natural authority ever keep watch against the desperate enterprises of innovation: let even their benevolence be fortified and armed. They have before their eyes the example of a monarch insulted, degraded, confined, deposed; his family dispersed, scattered, imprisoned; his wife insulted to his face, like the vilest of the sex, by the vilest of all populace; himself three times dragged by these wretches in an infamous triumph; his children torn from him, in violation of the first right of Nature, and given into the tuition of the most desperate and impious of the leaders of desperate and impious clubs;

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his revenues dilapidated and plundered; his magistrates murdered; his clergy proscribed, persecuted, famished; his nobility degraded in their rank, undone in their fortunes, fugitives in their persons; his armies corrupted and ruined; his whole people impoverished, disunited, dissolved; whilst through the bars of his prison, and amidst the bayonets of his keepers, he hears the tumult of two conflicting factions, equally wicked and abandoned, who agree in principles, in dispositions, and in objects, but who tear each other to pieces about the most effectual means of obtaining their common end: the one contending to preserve for a while his name, and his person, the more easily to destroy the royal authority, — the other clamoring to cut off the name, the person, and the monarchy together, by one sacrilegious execution. All this accumulation of calamity, the greatest that ever fell upon one man, has fallen upon his head, because he had left his virtues unguarded by caution, — because he was not taught, that, where power is concerned, he who will confer benefits must take security against ingratitude.

I have stated the calamities which have fallen upon a great prince and nation, because they were not alarmed at the approach of danger, and because, what commonly happens to men surprised, they lost all resource when they were caught in it. When I speak of danger, I certainly mean to address myself to those who consider the prevalence of the new Whig doctrines as an evil.

The Whigs of this day have before them, in this Appeal, their constitutional ancestors; they have the doctors of the modern school. They will choose for themselves. The author of the Reflections has chosen

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for himself. If a new order is coming on, and all the political opinions must pass away as dreams, which our ancestors have worshipped as revelations, I say for him, that he would rather be the last (as certainly he is the least) of that race of men than the first and greatest of those who have coined to themselves Whig principles from a French die, unknown to the impress of our fathers in the Constitution.

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A

# LETTER

TO

## A PEER OF IRELAND

ON THE

## PENAL LAWS AGAINST IRISH CATHOLICS,

PREVIOUS TO

THE LATE REPEAL OF A PART THEREOF IN THE SESSION OF THE IRISH PARLIAMENT, HELD A. D. 1782.

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# LETTER.

CHARLES STREET, LONDON, Feb. 21, 1782.

MY LORD, — I am obliged to your Lordship for your communication of the heads of Mr. Gardiner's bill. I had received it, in an earlier stage of its progress, from Mr. Braughall; and I am still in that gentleman's debt, as I have not made him the proper return for the favor he has done me. Business, to which I was more immediately called, and in which my sentiments had the weight of one vote, occupied me every moment since I received his letter. This first morning which I can call my own I give with great cheerfulness to the subject on which your Lordship has done me the honor of desiring my opinion.

I have read the heads of the bill, with the amend ments. Your Lordship is too well acquainted with men, and with affairs, to imagine that any true judgment can be formed on the value of a great measure of policy from the perusal of a piece of paper. At present I am much in the dark with regard to the state of the country which the intended law is to be applied to. It is not easy for me to determine whether or no it was wise (for the sake of expunging the black letter of laws which, menacing as they were in the language, were every day fading into disuse) solemnly to reaffirm the principles and to reenact the provisions of a code of statutes by which

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you are totally excluded from THE PRIVILEGES OF THE COMMONWEALTH, from the highest to the lowest, from the most material of the civil professions, from the army, and even from education, where alone education is to be had.*

Whether this scheme of indulgence, grounded at once on contempt and jealousy, has a tendency gradually to produce something better and more liberal, I cannot tell, for want of having the actual map of the country. If this should be the case, it was right in you to accept it, such as it is. But if this should be one of the experiments which have sometimes been made before the temper of the nation was ripe for a real reformation, I think it may possibly have ill effects, by disposing the penal matter in a more systematic order, and thereby fixing a permanent bar against any relief that is truly substantial. The whole merit or demerit of the measure depends upon the plans and dispositions of those by whom the act was made, concurring with the general temper of the Protestants of Ireland, and their aptitude to admit in time of some part of that equality without which you never can be FELLOW-CITIZENS. Of all this I am wholly ignorant. All my correspondence with men of public importance in Ireland has for some time totally ceased. On the first bill for the relief of the ROMAN CATHOLICS of Ireland, I was, without any call of mine, consulted both on your side of the water and on this. On the present occasion, I have not heard a word from any man in office, and know as

* The sketch of the bill sent to Mr. Burke, along with the repeal of some acts, reaffirmed many others in the penal code. It was altered afterwards, and the clauses reaffirming the incapacities left out; but they all still exist, and are in full force.

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little of the intentions of the British government as I know of the temper of the Irish Parliament. I do not find that any opposition was made by the principal persons of the minority in the House of Commons, or that any is apprehended from them in the House of Lords. The whole of the difficulty seems to lie with the principal men in government, under whose protection this bill is supposed to be brought in. This violent opposition and cordial support, coming from one and the same quarter, appears to me something mysterious, and hinders me from being able to make any clear judgment of the merit of the present measure, as compared with the actual state of the country and the general views of government, without which one can say nothing that may not be very erroneous.

To look at the bill in the abstract, it is neither more nor less than a renewed act of UNIVERSAL, UNMITIGATED, INDISPENSABLE, EXCEPTIONLESS DISQUALIFICATION.

One would imagine that a bill inflicting such a multitude of incapacities had followed on the heels of a conquest made by a very fierce enemy, under the impression of recent animosity and resentment. No man, on reading that bill, could imagine he was reading an act of amnesty and indulgence, following a recital of the good behavior of those who are the objects of it, — which recital stood at the head of the bill, as it was first introduced, but, I suppose for its incongruity with the body of the piece, was afterwards omitted. This I say on memory. It, however, still recites the oath, and that Catholics ought to be considered as good and loyal subjects to his Majesty, his crown and government. Then follows an universal

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exclusion of those GOOD and LOYAL subjects from every (even the lowest) office of trust and profit, — from any vote at an election, — from any privilege in a town corporate, — from being even a freeman of such a corporation, — from serving on grand juries, — from a vote at a vestry, — from having a gun in his house, — from being a barrister, attorney, or solicitor, &c., &c., &c.

This has surely much more the air of a table of proscription than an act of grace. What must we suppose the laws concerning those *good* subjects to have been, of which this is a relaxation? I know well that there is a cant language current, about the difference between an exclusion from employments, even to the most rigorous extent, and an exclusion from the natural benefits arising from a man's own industry. I allow, that, under some circumstances, the difference is very material in point of justice, and that there are considerations which may render it advisable for a wise government to keep the leading parts of every branch of civil and military administration in hands of the best trust; but a total exclusion from the commonwealth is a very different thing. When a government subsists (as governments formerly did) on an estate of its own, with but few and inconsiderable revenues drawn from the subject, then the few officers which existed in such establishments were naturally at the disposal of that government, which paid the salaries out of its own coffers: there an exclusive preference could hardly merit the name of proscription. Almost the whole produce of a man's industry at that time remained in his own purse to maintain his family. But times alter, and the *whole* estate of government is from private contribution.

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When a very great portion of the labor of individuals goes to the state, and is by the state again refunded to individuals, through the medium of offices, and in this circuitous progress from the private to the public, and from the public again to the private fund, the families from whom the revenue is taken are indemnified, and an equitable balance between the government and the subject is established. But if a great body of the people who contribute to this state lottery are excluded from all the prizes, the stopping the circulation with regard to them may be a most cruel hardship, amounting in effect to being double and treble taxed; and it will be felt as such to the very quick, by all the families, high and low, of those hundreds of thousands who are denied their chance in the returned fruits of their own industry. This is the thing meant by those who look upon the public revenue only as a spoil, and will naturally wish to have as few as possible concerned in the division of the booty. If a state should be so unhappy as to think it cannot subsist without such a barbarous proscription, the persons so proscribed ought to be indemnified by the remission of a large part of their taxes, by an immunity from the offices of public burden, and by an exemption from being pressed into any military or naval service.

Common sense and common justice dictate this at least, as some sort of compensation to a people for their slavery. How many families are incapable of existing, if the little offices of the revenue and little military commissions are denied them! To deny them at home, and to make the happiness of acquiring some of them somewhere else felony or high treason, is a piece of cruelty, in which, till very late-

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ly, I did not suppose this age capable of persisting. Formerly a similarity of religion made a sort of country for a man in some quarter or other. A refugee for religion was a protected character. Now the reception is cold indeed; and therefore, as the asylum abroad is destroyed, the hardship at home is doubled. This hardship is the more intolerable because the professions are shut up. The Church is so of course. Much is to be said on that subject, in regard to them, and to the Protestant Dissenters. But that is a chapter by itself. I am sure I wish well to that Church, and think its ministers among the very best citizens of your country. However, such as it is, a great walk in life is forbidden ground to seventeen hundred thousand of the inhabitants of Ireland. Why are they excluded from the law? Do not they expend money in their suits? Why may not they indemnify themselves, by profiting, in the persons of some, for the losses incurred by others? Why may not they have persons of confidence, whom they may, if they please, employ in the agency of their affairs? The exclusion from the law, from grand juries, from sheriffships and under-sheriffships, as well as from freedom in any corporation, may subject them to dreadful hardships, as it may exclude them wholly from all that is beneficial and expose them to all that is mischievous in a trial by jury. This was manifestly within my own observation, for I was three times in Ireland from the year 1760 to the year 1767, where I had sufficient means of information concerning the inhuman proceedings (among which were many cruel murders, besides an infinity of outrages and oppressions unknown before in a civilized age) which prevailed during that period, in consequence of a pre-

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tended conspiracy among *Roman Catholics* against the king's government. I could dilate upon the mischiefs that may happen, from those which have happened, upon this head of disqualification, if it were at all necessary.

The head of exclusion from votes for members of Parliament is closely connected with the former. When you cast your eye on the statute-book, you will see that no *Catholic*, even in the ferocious acts of Queen Anne, was disabled from voting on account of his religion. The only conditions required for that privilege were the oaths of allegiance and abjuration, — both oaths relative to a civil concern. Parliament has since added another oath of the same kind; and yet a House of Commons, adding to the securities of government in proportion as its danger is confessedly lessened, and professing both confidence and indulgence, in effect takes away the privilege left by an act full of jealousy and professing persecution.

The taking away of a vote is the taking away the shield which the subject has, not only against the oppression of power, but that worst of all oppressions, the persecution of private society and private manners. No candidate for Parliamentary influence is obliged to the least attention towards them, either in cities or counties. On the contrary, if they should become obnoxious to any bigoted or malignant people amongst whom they live, it will become the interest of those who court popular favor to use the numberless means which always reside in magistracy and influence to oppress them. The proceedings in a certain county in Munster, during the unfortunate period I have mentioned, read a strong lecture on



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the cruelty of depriving men of that shield on account of their speculative opinions. The Protestants of Ireland feel well and naturally on the hardship of being bound by laws in the enacting of which they do not directly or indirectly vote. The bounds of these matters are nice, and hard to be settled in theory, and perhaps they have been pushed too far. But how they can avoid the necessary application of the principles they use in their disputes with others to their disputes with their fellow-citizens, I know not.

It is true, the words of this act do not create a disability; but they clearly and evidently suppose it. There are few *Catholic* freeholders to take the benefit of the privilege, if they were permitted to partake it; but the manner in which this very right in freeholders at large is defended is not on the idea that the freeholders do really and truly represent the people, but that, all people being capable of obtaining freeholds, all those who by their industry and sobriety merit this privilege have the means of arriving at votes. It is the same with the corporations.

The laws against foreign education are clearly the very worst part of the old code. Besides your laity, you have the succession of about four thousand clergymen to provide for. These, having no lucrative objects in prospect, are taken very much out of the lower orders of the people. At home they have no means whatsoever provided for their attaining a clerical education, or indeed any education at all. When I was in Paris, about seven years ago, I looked at everything, and lived with every kind of people, as well as my time admitted. I saw there the Irish college of the Lombard, which seemed to me a very good place of education, under excellent orders and regula-

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tions, and under the government of a very prudent and learned man (the late Dr. Kelly). This college was possessed of an annual fixed revenue of more than a thousand pound a year, the greatest part of which had arisen from the legacies and benefactions of persons educated in that college, and who had obtained promotions in France, from the emolument of which promotions they made this grateful return. One in particular I remember, to the amount of ten thousand livres annually, as it is recorded on the donor's monument in their chapel.

It has been the custom of poor persons in Ireland to pick up such knowledge of the Latin tongue as, under the general discouragements, and occasional pursuits of magistracy, they were able to acquire; and receiving orders at home, were sent abroad to obtain a clerical education. By officiating in petty chaplainships, and performing now and then certain offices of religion for small gratuities, they received the means of maintaining themselves until they were able to complete their education. Through such difficulties and discouragements, many of them have arrived at a very considerable proficiency, so as to be marked and distinguished abroad. These persons afterwards, by being sunk in the most abject poverty, despised and ill-treated by the higher orders among Protestants, and not much better esteemed or treated even by the few persons of fortune of their own persuasion, and contracting the habits and ways of thinking of the poor and uneducated, among whom they were obliged to live, in a few years retained little or no traces of the talents and acquirements which distinguished them in the early periods of their lives. Can we with justice cut them off from

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the use of places of education founded for the greater part from the economy of poverty and exile, without providing something that is equivalent at home?

Whilst this restraint of foreign and domestic education was part of an horrible and impious system of servitude, the members were well fitted to the body. To render men patient under a deprivation of all the rights of human nature, everything which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, it was fit that it should be degraded. But when we profess to restore men to the capacity for property, it is equally irrational and unjust to deny them the power of improving their minds as well as their fortunes. Indeed, I have ever thought the prohibition of the means of improving our rational nature to be the worst species of tyranny that the insolence and perverseness of mankind ever dared to exercise. This goes to all men, in all situations, to whom education can be denied.

Your Lordship mentions a proposal which came from my friend, the Provost, whose benevolence and enlarged spirit I am perfectly convinced of, — which is, the proposal of erecting a few sizarships in the college, for the education (I suppose) of Roman Catholic clergymen.* He certainly meant it well; but, coming from such a man as he is, it is a strong instance of the danger of suffering any description of men to fall into entire contempt. The charities intended for them are not perceived to be fresh insults; and the true nature of their wants and necessities being unknown, remedies wholly unsuitable to

* It appears that Mr. Hutchinson meant this only as one of the means for their relief in point of education.

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the nature of their complaint are provided for them. It is to feed a sick Gentoo with beef broth, and to foment his wounds with brandy. If the other parts of the university were open to them, as well on the foundation as otherwise, the offering of sizarships would be a proportioned part of a *general* kindness. But when everything *liberal* is withheld, and only that which is *servile* is permitted, it is easy to conceive upon what footing they must be in such a place.

Mr. Hutchinson must well know the regard and honor I have for him; and he cannot think my dissenting from him in this particular arises from a disregard of his opinion: it only shows that I think he has lived in Ireland. To have any respect for the character and person of a Popish priest there — oh, 't is an uphill work indeed! But until we come to respect what stands in a respectable light with others, we are very deficient in the temper which qualifies us to make any laws and regulations about them: it even disqualifies us from being charitable to them with any effect or judgment.

When we are to provide for the education of any body of men, we ought seriously to consider the particular functions they are to perform in life. A Roman Catholic clergyman is the minister of a very ritual religion, and by his profession subject to many restraints. His life is a life full of strict observances; and his duties are of a laborious nature towards himself, and of the highest possible trust towards others. The duty of confession alone is sufficient to set in the strongest light the necessity of his having an appropriated mode of education. The theological opinions and peculiar rites of one religion

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never can be properly taught in universities founded for the purposes and on the principles of another which in many points are directly opposite. If a Roman Catholic clergyman, intended for celibacy and the function of confession, is not strictly bred in a seminary where these things are respected, inculcated, and enforced, as sacred, and not made the subject of derision and obloquy, he will be ill fitted for the former, and the latter will be indeed in his hands a terrible instrument.

There is a great resemblance between the whole frame and constitution of the Greek and Latin Churches. The secular clergy in the former, by being married, living under little restraint, and having no particular education suited to their function, are universally fallen into such contempt that they are never permitted to aspire to the dignities of their own Church. It is not held respectful to call them *Papas*, their true and ancient appellation, but those who wish to address them with civility always call them *Hieromonachi*. In consequence of this disrespect, which I venture to say, in such a Church, must be the consequence of a secular life, a very great degeneracy from reputable Christian manners has taken place throughout almost the whole of that great member of the Christian Church.

It was so with the Latin Church, before the restraint on marriage. Even that restraint gave rise to the greatest disorders before the Council of Trent, which, together with the emulation raised and the good examples given by the Reformed churches, wherever they were in view of each other, has brought on that happy amendment which we see in the Latin communion, both at home and abroad.

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The Council of Trent has wisely introduced the discipline of seminaries, by which priests are not trusted for a clerical institution even to the severe discipline of their colleges, but, after they pass through them, are frequently, if not for the greater part, obliged to pass through peculiar methods, having their particular ritual function in view. It is in a great measure to this, and to similar methods used in foreign education, that the Roman Catholic clergy of Ireland, miserably provided for, living among low and ill-regulated people, without any discipline of sufficient force to secure good manners, have been prevented from becoming an intolerable nuisance to the country, instead of being, as I conceive they generally are, a very great service to it.

The ministers of Protestant churches require a different mode of education, more liberal, and more fit for the ordinary intercourse of life. That religion having little hold on the minds of people by external ceremonies and extraordinary observances, or separate habits of living, the clergy make up the deficiency by cultivating their minds with all kinds of ornamental learning, which the liberal provision made in England and Ireland for the parochial clergy, (to say nothing of the ample Church preferments, with little or no duties annexed,) and the comparative lightness of parochial duties, enables the greater part of them in some considerable degree to accomplish.

This learning, which I believe to be pretty general, together with an higher situation, and more chastened by the opinion of mankind, forms a sufficient security for the morals of the established clergy, and for their sustaining their clerical character with dignity. It

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is not necessary to observe, that all these things are, however, collateral to their function, and that, except in preaching, which may be and is supplied, and often best supplied, out of printed books, little else is necessary for a Protestant minister than to be able to read the English language, — I mean for the exercise of his function, not to the qualification of his admission to it. But a Popish parson in Ireland may do very well without any considerable classical erudition, or any proficiency in pure or mixed mathematics, or any knowledge of civil history. Even if the Catholic clergy should possess those acquisitions, as at first many of them do, they soon lose them in the painful course of professional and parochial duties: but they must have all the knowledge, and, what is to them more important than the knowledge, the discipline, necessary to those duties. All modes of education conducted by those whose minds are cast in another mould, as I may say, and whose original ways of thinking are formed upon the reverse pattern, must be to them not only useless, but mischievous. Just as I should suppose the education in a Popish ecclesiastical seminary would be ill fitted for a Protestant clergyman. To educate a Catholic priest in a Protestant seminary would be much worse. The Protestant educated amongst Catholics has only something to reject: what he keeps may be useful. But a Catholic parish priest learns little for his peculiar purpose and duty in a Protestant college.

All this, my Lord, I know very well, will pass for nothing with those who wish that the Popish clergy should be illiterate, and in a situation to produce contempt and detestation. Their minds are wholly

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taken up with party squabbles, and I have neither leisure nor inclination to apply any part of what I have to say to those who never think of religion or of the commonwealth in any other light than as they tend to the prevalence of some faction in either. I speak on a supposition that there is a disposition *to take the state in the condition in which it is found*, and to improve it *in that state* to the best advantage. Hitherto the plan for the government of Ireland has been to sacrifice the civil prosperity of the nation to its religious improvement. But if people in power there are at length come to entertain other ideas, they will consider the good order, decorum, virtue, and morality of every description of men among them as of infinitely greater importance than the struggle (for it is nothing better) to change those descriptions by means which put to hazard objects which, in my poor opinion, are of more importance to religion and to the state than all the polemical matter which has been agitated among men from the beginning of the world to this hour.

On this idea, an education fitted *to each order and division of men, such as they are found*, will be thought an affair rather to be encouraged than discountenanced; and until institutions at home, suitable to the occasions and necessities of the people, are established, and which are armed, as they are abroad, with authority to coerce the young men to be formed in them by a strict and severe discipline, the means they have at present of a cheap and effectual education in other countries should not continue to be prohibited by penalties and modes of inquisition not fit to be mentioned to ears that

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are organized to the chaste sounds of equity and justice.

Before I had written thus far, I heard of a scheme of giving to the Castle the patronage of the presiding members of the Catholic clergy. At first I could scarcely credit it; for I believe it is the first time that the presentation to other people's alms has been desired in any country. If the state provides a suitable maintenance and temporality for the governing members of the Irish Roman Catholic Church, and for the clergy under them, I should think the project, however improper in other respects, to be by no means unjust. But to deprive a poor people, who maintain a second set of clergy, out of the miserable remains of what is left after taxing and tithing, to deprive them of the disposition of their own charities among their own communion, would, in my opinion, be an intolerable hardship. Never were the members of one religious sect fit to appoint the pastors to another. Those who have no regard for their welfare, reputation, or internal quiet will not appoint such as are proper. The seraglio of Constantinople is as equitable as we are, whether Catholics or Protestants, — and where their own sect is concerned, full as religious. But the sport which they make of the miserable dignities of the Greek Church, the little factions of the harem to which they make them subservient, the continual sale to which they expose and reëxpose the same dignity, and by which they squeeze all the inferior orders of the clergy, is (for I have had particular means of being acquainted with it) nearly equal to all the other oppressions together, exercised by Mussulmen over the unhappy members of the Oriental

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Church. It is a great deal to suppose that even the present Castle would nominate bishops for the Roman Church of Ireland with a religious regard for its welfare. Perhaps they cannot, perhaps they dare not do it.

But suppose them to be as well inclined as I know that I am to do the Catholics all kind of justice, I declare I would not, if it were in my power, take that patronage on myself. I know I ought not to do it. I belong to another community, and it would be intolerable usurpation for me to affect such authority, where I conferred no benefit, or even if I did confer (as in some degree the seraglio does) temporal advantages. But allowing that the *present* Castle finds itself fit to administer the government of a church which they solemnly forswear, and forswear with very hard words and many evil epithets, and that as often as they qualify themselves for the power which is to give this very patronage, or to give anything else that they desire, — yet they cannot insure themselves that a man like the late Lord Chesterfield will not succeed to them. This man, while he was duping the credulity of Papists with fine words in private, and commending their good behavior during a rebellion in Great Britain, (as it well deserved to be commended and rewarded,) was capable of urging penal laws against them in a speech from the throne, and of stimulating with provocatives the wearied and half-exhausted bigotry of the then Parliament of Ireland. They set to work, but they were at a loss what to do; for they had already almost gone through every contrivance which could *waste the vigor* of their country: but, after much struggle, they produced a child of their old age, the shocking and unnatural act about

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marriages, which tended to finish the scheme for making the people not only two distinct parties forever, but keeping them as two distinct species in the same land. Mr. Gardiner's humanity was shocked at it, as one of the worst parts of that truly barbarous system, if one could well settle the preference, where almost all the parts were outrages on the rights of humanity and the laws of Nature.

Suppose an atheist, playing the part of a bigot, should be in power again in that country, do you believe that he would faithfully and religiously administer the trust of appointing pastors to a church which, wanting every other support, stands in tenfold need of ministers who will be dear to the people committed to their charge, and who will exercise a really paternal authority amongst them? But if the superior power was always in a disposition to dispense conscientiously, and like an upright trustee and guardian of these rights which he holds for those with whom he is at variance, has he the capacity and means of doing it? How can the Lord-Lieutenant form the least judgment of their merits, so as to discern which of the Popish priests is fit to be made a bishop? It cannot be: the idea is ridiculous. He will hand them over to lords-lieutenant of counties, justices of the peace, and other persons, who, for the purpose of vexing and turning to derision this miserable people, will pick out the worst and most obnoxious they can find amongst the clergy to set over the rest. Whoever is complained against by his brother will be considered as persecuted; whoever is censured by his superior will be looked upon as oppressed; whoever is careless in his opinions and loose in his morals will be called a liberal man, and

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will be supposed to have incurred hatred because he was not a bigot. Informers, tale-bearers, perverse and obstinate men, flatterers, who turn their back upon their flock and court the Protestant gentlemen of the country, will be the objects of preferment. And then I run no risk in foretelling that whatever order, quiet, and morality you have in the country will be lost. A Popish clergy who are not restrained by the most austere subordination will become a nuisance, a real public grievance of the heaviest kind, in any country that entertains them; and instead of the great benefit which Ireland does and has long derived from them, if they are educated without any idea of discipline and obedience, and then put under bishops who do not owe their station to their good opinion, and whom they cannot respect, that nation will see disorders, of which, bad as things are, it has yet no idea. I do not say this, as thinking the leading men in Ireland would exercise this trust worse than others. Not at all. No man, no set of men living are fit to administer the affairs or regulate the interior economy of a church to which they are enemies.

As to government, if I might recommend a prudent caution to them, it would be, to innovate as little as possible, upon speculation, in establishments from which, as they stand, they experience no material inconvenience to the repose of the country, — *quieta non movere.*

I could say a great deal more; but I am tired, and am afraid your Lordship is tired too. I have not sat to this letter a single quarter of an hour without interruption. It has grown long, and probably contains many repetitions, from my total want of leisure

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to digest and consolidate my thoughts; and as to my expressions, I could wish to be able perhaps to measure them more exactly. But my intentions are fair, and I certainly mean to offend nobody.

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Thinking over this matter more maturely, I see no reason for altering my opinion in any part. The act, as far as it goes, is good undoubtedly. It amounts, I think, very nearly to a *toleration*, with respect to religious ceremonies; but it puts a new bolt on civil rights, and rivets it to the old one in such a manner, that neither, I fear, will be easily loosened. What I could have wished would be, to see the civil advantages take the lead; the other, of a religious toleration, I conceive, would follow, (in a manner,) of course. From what I have observed, it is pride, arrogance, and a spirit of domination, and not a bigoted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those who have oppressed Papists in their civil rights exceedingly indulgent to them in their religious ceremonies, and who really wished them to continue Catholics, in order to furnish pretences for oppression. These persons never saw a man (by converting) escape out of their power, but with grudging and regret. I have known men to whom I am not uncharitable in saying (though they are dead) that they would have become Papists in order to oppress Protestants, if, being Protestants, it was not in their power to oppress Papists. It is injustice, and not a mistaken conscience, that has been the principle of persecution, — at least, as far as it has fallen under my observation. — However, as I began, so I end. I

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do not know the map of the country. Mr. Gardiner, who conducts this great and difficult work, and those who support him, are better judges of the business than I can pretend to be, who have not set my foot in Ireland these sixteen years. I have been given to understand that I am not considered as a friend to that country; and I know that pains have been taken to lessen the credit that I might have had there.

I am so convinced of the weakness of interfering in any business, without the opinion of the people in whose business I interfere, that I do not know how to acquit myself of what I have now done.

I have the honor to be, with high regard and esteem, my Lord,

Your Lordship's most obedient
And humble servant, &c.
EDMUND BURKE.

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A

# LETTER

TO

SIR HERCULES LANGRISHE, BART., M. P.,

ON THE SUBJECT OF

## THE ROMAN CATHOLICS OF IRELAND,

AND

THE PROPRIETY OF ADMITTING THEM TO THE ELECTIVE FRANCHISE, CONSISTENTLY WITH THE PRINCIPLES OF THE CONSTITUTION, AS ESTABLISHED AT THE REVOLUTION.

1792.



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# LETTER.

MY DEAR SIR,—Your remembrance of me, with sentiments of so much kindness, has given me the most sincere satisfaction. It perfectly agrees with the friendly and hospitable reception which my son and I received from you some time since, when, after an absence of twenty-two years, I had the happiness of embracing you, among my few surviving friends.

I really imagined that I should not again interest myself in any public business. I had, to the best of my moderate faculties, paid my club to the society which I was born in some way or other to serve; and I thought I had a right to put on my night-gown and slippers, and wish a cheerful evening to the good company I must leave behind. But if our resolutions of vigor and exertion are so often broken or procrastinated in the execution, I think we may be excused, if we are not very punctual in fulfilling our engagements to indolence and inactivity. I have, indeed, no power of action, and am almost a cripple even with regard to thinking; but you descend with force into the stagnant pool, and you cause such a fermentation as to cure at least one impotent creature of his lameness, though it cannot enable him either to run or to wrestle.

You see by the paper * I take that I am likely to be long, with malice prepense. You have brought

* The letter is written on folio sheets.

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under my view a subject always difficult, at present critical. It has filled my thoughts, which I wish to lay open to you with the clearness and simplicity which your friendship demands from me. I thank you for the communication of your ideas. I should be still more pleased, if they had been more your own. What you hint I believe to be the case: that, if you had not deferred to the judgment of others, our opinions would not differ more materially at this day than they did when we used to confer on the same subject so many years ago. If I still persevere in my old opinions, it is no small comfort to me that it is not with regard to doctrines properly yours that I discover my indocility.

The case upon which your letter of the 10th of December turns is hardly before me with precision enough to enable me to form any very certain judgment upon it. It seems to be some plan of further indulgence proposed for the Catholics of Ireland. You observe, that your "general principles are not changed, but that *times and circumstances are altered.*" I perfectly agree with you, that times and circumstances, considered with reference to the public, ought very much to govern our conduct, — though I am far from slighting, when applied with discretion to those circumstances, general principles and maxims of policy. I cannot help observing, however, that you have said rather less upon the inapplicability of your own old principles to the *circumstances* that are likely to influence your conduct against these principles than of the *general* maxims of state, which I can very readily believe not to have great weight with you personally.

In my present state of imperfect information, you

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will pardon the errors into which I may easily fall. The principles you lay down are, "that the Roman Catholics should enjoy everything *under* the state, but should not be *the state itself*." And you add, "that, when you exclude them from being *a part of the state*, you rather conform to the spirit of the age than to any abstract doctrine"; but you consider the Constitution as already established, — that our state is Protestant. "It was declared so at the Revolution. It was so provided in the acts for settling the succession of the crown: — the king's coronation oath was enjoined in order to keep it so. The king, as first magistrate of the state, is obliged to take the oath of abjuration,* and to subscribe the Declaration; and by laws subsequent, every other magistrate and member of the state, legislative and executive, are bound under the same obligation."

As to the plan to which these maxims are applied, I cannot speak, as I told you, positively about it: because neither from your letter, nor from any information I have been able to collect, do I find anything settled, either on the part of the Roman Catholics themselves, or on that of any persons who may wish to conduct their affairs in Parliament. But if I have leave to conjecture, something is in agitation towards admitting them, under *certain qualifications*, to have *some share* in the election of members of Parliament. This I understand is the scheme of those who are entitled to come within your description of persons of consideration, property, and character, — and firmly attached to the king and Constitution, as by "law established, with a grateful sense of your

* A small error of fact as to the abjuration oath, but of no importance in the argument.

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former concessions, and a patient reliance on the benignity of Parliament for the further mitigation of the laws that still affect them." — As to the low, thoughtless, wild, and profligate, who have joined themselves with those of other professions, but of the same character, you are not to imagine that for a moment I can suppose them to be met with anything else than the manly and enlightened energy of a firm government, supported by the united efforts of all virtuous men, if ever their proceedings should become so considerable as to demand its notice. I really think that such associations should be crushed in their very commencement.

Setting, therefore, this case out of the question, it becomes an object of very serious consideration, whether, because wicked men of *various* descriptions are engaged in seditious courses, the rational, sober, and valuable part of *one* description should not be indulged in their sober and rational expectations. You, who have looked deeply into the spirit of the Popery laws, must be perfectly sensible that a great part of the present mischief which we abhor in common (if it at all exists) has arisen from them. Their declared object was, to reduce the Catholics of Ireland to a miserable populace, without property, without estimation, without education. The professed object was, to deprive the few men, who, in spite of those laws, might hold or obtain any property amongst them, of all sort of influence or authority over the rest. They divided the nation into two distinct bodies, without common interest, sympathy, or connection. One of these bodies was to possess *all* the franchises, *all* the property, *all* the education: the other was to be composed of drawers of water and

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cutters of turf for them. Are we to be astonished, when, by the efforts of so much violence in conquest, and so much policy in regulation, continued without intermission for near an hundred years, we had reduced them to a mob, that, whenever they came to act at all, many of them would act exactly like a mob, without temper, measure, or foresight? Surely it might be just now a matter of temperate discussion, whether you ought not to apply a remedy to the real cause of the evil. If the disorder you speak of be real and considerable, you ought to raise an aristocratic interest, that is, an interest of property and education, amongst them, — and to strengthen, by every prudent means, the authority and influence of men of that description. It will deserve your best thoughts, to examine whether this can be done without giving such persons the means of demonstrating to the rest that something more is to be got by their temperate conduct than can be expected from the wild and senseless projects of those who do not belong to their body, who have no interest in their well-being, and only wish to make them the dupes of their turbulent ambition.

If the absurd persons you mention find no way of providing for liberty, but by overturning this happy Constitution, and introducing a frantic democracy, let us take care how we prevent better people from any rational expectations of partaking in the benefits of that Constitution *as it stands*. The maxims you establish cut the matter short. They have no sort of connection with the good or the ill behavior of the persons who seek relief, or with the proper or improper means by which they seek it. They form a perpetual bar to all pleas and to all expectations.

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You begin by asserting, that "the Catholics ought to enjoy all things *under* the state, but that they ought not to *be the state*": a position which, I believe, in the latter part of it, and in the latitude there expressed, no man of common sense has ever thought proper to dispute; because the contrary implies that the state ought to be in them *exclusively*. But before you have finished the line, you express yourself as if the other member of your proposition, namely, that "they ought not to be *a part* of the state," were necessarily included in the first, — whereas I conceive it to be as different as a part is from the whole, that is, just as different as possible. I know, indeed, that it is common with those who talk very differently from you, that is, with heat and animosity, to confound those things, and to argue the admission of the Catholics into any, however minute and subordinate, parts of the state, as a surrender into their hands of the whole government of the kingdom. To them I have nothing at all to say.

Wishing to proceed with a deliberative spirit and temper in so very serious a question, I shall attempt to analyze, as well as I can, the principles you lay down, in order to fit them for the grasp of an understanding so little comprehensive as mine. — "State," — "Protestant," — "Revolution." These are terms which, if not well explained, may lead us into many errors. In the word *State* I conceive there is much ambiguity. The state is sometimes used to signify *the whole commonwealth*, comprehending all its orders, with the several privileges belonging to each. Sometimes it signifies only *the higher and ruling part* of the commonwealth, which we commonly call *the Government*. In the first sense, to be under the state,

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but not the state itself, *nor any part of it*, that is, to be nothing at all in the commonwealth, is a situation perfectly intelligible, — but to those who fill that situation, not very pleasant, when it is understood. It is a state of *civil servitude*, by the very force of the definition. *Servorum non est respublica* is a very old and a very true maxim. This servitude, which makes men *subject* to a state without being *citizens*, may be more or less tolerable from many circumstances; but these circumstances, more or less favorable, do not alter the nature of the thing. The mildness by which absolute masters exercise their dominion leaves them masters still. We may talk a little presently of the manner in which the majority of the people of Ireland (the Catholics) are affected by this situation, which at present undoubtedly is theirs, and which you are of opinion ought so to continue forever.

In the other sense of the word *State*, by which is understood the *Supreme Government* only, I must observe this upon the question: that to exclude whole classes of men entirely from this *part* of government cannot be considered as *absolute slavery*. It only implies a lower and degraded state of citizenship: such is (with more or less strictness) the condition of all countries in which an hereditary nobility possess the exclusive rule. This may be no bad mode of government, — provided that the personal authority of individual nobles be kept in due bounds, that their cabals and factions are guarded against with a severe vigilance, and that the people (who have no share in granting their own money) are subjected to but light impositions, and are otherwise treated with attention, and with indulgence to their humors and prejudices.

The republic of Venice is one of those which strictly

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confines all the great functions and offices, such as are truly *state* functions and *state* offices, to those who by hereditary right or admission are noble Venetians. But there are many offices, and some of them not mean nor unprofitable, (that of Chancellor is one,) which are reserved for the *cittadini*. Of these all citizens of Venice are capable. The inhabitants of the *terra firma*, who are mere subjects of conquest, that is, as you express it, under the state, but "not a part of it," are not, however, subjects in so very rigorous a sense as not to be capable of numberless subordinate employments. It is, indeed, one of the advantages attending the narrow bottom of their aristocracy, (narrow as compared with their acquired dominions, otherwise broad enough,) that an exclusion from such employments cannot possibly be made amongst their subjects. There are, besides, advantages in states so constituted, by which those who are considered as of an inferior race are indemnified for their exclusion from the government, and from nobler employments. In all these countries, either by express law, or by usage more operative, the noble castes are almost universally, in their turn, excluded from commerce, manufacture, farming of land, and in general from all lucrative civil professions. The nobles have the monopoly of honor; the plebeians a monopoly of all the means of acquiring wealth. Thus some sort of a balance is formed among conditions; a sort of compensation is furnished to those who, in a *limited sense*, are excluded from the government of the state.

Between the extreme of *a total exclusion*, to which your maxim goes, and *an universal unmodified capacity*, to which the fanatics pretend, there are many

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different degrees and stages, and a great variety of temperaments, upon which prudence may give full scope to its exertions. For you know that the decisions of prudence (contrary to the system of the insane reasoners) differ from those of judicature; and that almost all the former are determined on the more or the less, the earlier or the later, and on a balance of advantage and inconvenience, of good and evil.

In all considerations which turn upon the question of vesting or continuing the state solely and exclusively in some one description of citizens, prudent legislators will consider how far *the general form and principles of their commonwealth render it fit to be cast into an oligarchical shape, or to remain always in it.* We know that the government of Ireland (the same as the British) is not in its constitution *wholly* aristocratical; and as it is not such in its form, so neither is it in its spirit. If it had been inveterately aristocratical, exclusions might be more patiently submitted to. The lot of one plebeian would be the lot of all; and an habitual reverence and admiration of certain families might make the people content to see government wholly in hands to whom it seemed naturally to belong. But our Constitution has *a plebeian member*, which forms an essential integrant part of it. A plebeian oligarchy is a monster; and no people, not absolutely domestic or predial slaves, will long endure it. The Protestants of Ireland are not *alone* sufficiently the people to form a democracy; and they are *too numerous* to answer the ends and purposes of *an aristocracy*. Admiration, that first source of obedience, can be only the claim or the imposture of the few. I hold it to be absolutely

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impossible for two millions of plebeians, composing certainly a very clear and decided majority in that class, to become so far in love with six or seven hundred thousand of their fellow-citizens (to all outward appearance plebeians like themselves, and many of them tradesmen, servants, and otherwise inferior to some of them) as to see with satisfaction, or even with patience, an exclusive power vested in them, by which *constitutionally* they become the absolute masters, and, by the *manners* derived from their circumstances, must be capable of exercising upon them, daily and hourly, an insulting and vexatious superiority. Neither are the majority of the Irish indemnified (as in some aristocracies) for this state of humiliating vassalage (often inverting the nature of things and relations) by having the lower walks of industry wholly abandoned to them. They are rivalled, to say the least of the matter, in every laborious and lucrative course of life; while every franchise, every honor, every trust, every place, down to the very lowest and least confidential, (besides whole professions,) is reserved for the master caste.

Our Constitution is not made for great, general, and proscriptive exclusions; sooner or later it will destroy them, or they will destroy the Constitution. In our Constitution there has always been a difference between *a franchise* and *an office*, and between the capacity for the one and for the other. Franchises were supposed to belong to the *subject*, as *a subject*, and not *as a member of the governing part of the state*. The policy of government has considered them as things very different; for, whilst Parliament excluded by the test acts (and for a while these test acts were not a dead letter, as now they are in Eng-

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land) Protestant Dissenters from all civil and military employments, they *never touched their right of voting for members of Parliament or sitting in either House:* a point I state, not as approving or condemning, with regard to them, the measure of exclusion from employments, but to prove that the distinction has been admitted in legislature, as, in truth, it is founded in reason.

I will not here examine whether the principles of the British [the Irish] Constitution be wise or not. I must assume that they are, and that those who partake the franchises which make it partake of a benefit. They who are excluded from votes (under proper qualifications inherent in the Constitution that gives them) are excluded, not from *the state*, but from *the British Constitution.* They cannot by any possibility, whilst they hear its praises continually rung in their ears, and are present at the declaration which is so generally and so bravely made by those who possess the privilege, that the best blood in their veins ought to be shed to preserve their share in it, — they, the disfranchised part, cannot, I say, think themselves in an *happy* state, to be utterly excluded from all its direct and all its consequential advantages. The popular part of the Constitution must be to them by far the most odious part of it. To them it is not an *actual*, and, if possible, still less a *virtual* representation. It is, indeed, the direct contrary. It is power unlimited placed in the hands of *an adverse* description *because it is an adverse description.* And if they who compose the privileged body have not an interest, they must but too frequently have motives of pride, passion, petulance, peevish jealousy, or tyrannic suspi-

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cion, to urge them to treat the excluded people with contempt and rigor.

This is not a mere theory; though, whilst men are men, it is a theory that cannot be false. I do not desire to revive all the particulars in my memory; I wish them to sleep forever; but it is impossible I should wholly forget what happened in some parts of Ireland, with very few and short intermissions, from the year 1761 to the year 1766, both inclusive. In a country of miserable police, passing from the extremes of laxity to the extremes of rigor, among a neglected and therefore disorderly populace, if any disturbance or sedition, from any grievance real or imaginary, happened to arise, it was presently perverted from its true nature, often criminal enough in itself to draw upon it a severe, appropriate punishment: it was metamorphosed into a conspiracy against the state, and prosecuted as such. Amongst the Catholics, as being by far the most numerous and the most wretched, all sorts of offenders against the laws must commonly be found. The punishment of low people for the offences usual among low people would warrant no inference against any descriptions of religion or of politics. Men of consideration from their age, their profession, or their character, men of proprietary landed estates, substantial renters, opulent merchants, physicians, and titular bishops, could not easily be suspected of riot in open day, or of nocturnal assemblies for the purpose of pulling down hedges, making breaches in park-walls, firing barns, maiming cattle, and outrages of a similar nature, which characterize the disorders of an oppressed or a licentious populace. But when the evidence given on the trial for such misdemeanors qualified them as

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overt acts of high treason, and when witnesses were found (such witnesses as they were) to depose to the taking of oaths of allegiance by the rioters to the king of France, to their being paid by his money, and embodied and exercised under his officers, to overturn the state for the purposes of that potentate, — in that case, the rioters might (if the witness was believed) be supposed only the troops, and persons more reputable the leaders and commanders, in such a rebellion. All classes in the obnoxious description, who could not be suspected of the lower crime of riot, might be involved in the odium, in the suspicion, and sometimes in the punishment, of a higher and far more criminal species of offence. These proceedings did not arise from any one of the Popery laws since repealed, but from this circumstance, that, when it answered the purposes of an election party or a malevolent person of influence to forge such plots, the people had no protection. The people of that description have no hold on the gentlemen who aspire to be popular representatives. The candidates neither love nor respect nor fear them, individually or collectively. I do not think this evil (an evil amongst a thousand others) at this day entirely over; for I conceive I have lately seen some indication of a disposition perfectly similar to the old one, — that is, a disposition to carry the imputation of crimes from persons to descriptions, and wholly to alter the character and quality of the offences themselves.

This universal exclusion seems to me a serious evil, — because many collateral oppressions, besides what I have just now stated, have arisen from it. In things of this nature it would not be either easy or proper to quote chapter and verse; but I have great reason

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to believe, particularly since the Octennial Act, that several have refused at all to let their lands to Roman Catholics, because it would so far disable them from promoting such interests in counties as they were inclined to favor. They who consider also the state of all sorts of tradesmen, shopkeepers, and particularly publicans in towns, must soon discern the disadvantages under which those labor who have no votes. It cannot be otherwise, whilst the spirit of elections and the tendencies of human nature continue as they are. If property be artificially separated from franchise, the franchise must in some way or other, and in some proportion, naturally attract property to it. Many are the collateral disadvantages, amongst a *privileged* people, which must attend on those who have *no* privileges.

Among the rich, each individual, with or without a franchise, is of importance; the poor and the middling are no otherwise so than as they obtain some collective capacity, and can be aggregated to some corps. If legal ways are not found, illegal will be resorted to; and seditious clubs and confederacies, such as no man living holds in greater horror than I do, will grow and flourish, in spite, I am afraid, of anything which can be done to prevent the evil. Lawful enjoyment is the surest method to prevent unlawful gratification. Where there is property, there will be less theft; where there is marriage, there will always be less fornication.

I have said enough of the question of state, *as it affects the people merely as such.* But it is complicated with a political question relative to religion, to which it is very necessary I should say something, — because the term *Protestant*, which you apply, is too

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general for the conclusions which one of your accurate understanding would wish to draw from it, and because a great deal of argument will depend on the use that is made of that term.

It is *not* a fundamental part of the settlement at the Revolution that the state should be Protestant *without any qualification of the term.* With a qualification it is unquestionably true; not in all its latitude. With the qualification, it was true before the Revolution. Our predecessors in legislation were not so irrational (not to say impious) as to form an operose ecclesiastical establishment, and even to render the state itself in some degree subservient to it, when their religion (if such it might be called) was nothing but a mere *negation* of some other, — without any positive idea, either of doctrine, discipline, worship, or morals, in the scheme which they professed themselves, and which they imposed upon others, even under penalties and incapacities. No! No! This never could have been done, even by reasonable atheists. They who think religion of no importance to the state have abandoned it to the conscience or caprice of the individual; they make no provision for it whatsoever, but leave every club to make, or not, a voluntary contribution towards its support, according to their fancies. This would be consistent. The other always appeared to me to be a monster of contradiction and absurdity. It was for that reason, that, some years ago, I strenuously opposed the clergy who petitioned, to the number of about three hundred, to be freed from the subscription to the Thirty-Nine Articles, without proposing to substitute any other in their place. There never has been a religion of the state (the few years of the Parliament



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only excepted) but that of *the Episcopal Church of England:* the Episcopal Church of England, before the Reformation, connected with the see of Rome; since then, disconnected, and protesting against some of her doctrines, and against the whole of her authority, as binding in our national church: nor did the fundamental laws of this kingdom (in Ireland it has been the same) ever know, at any period, any other church *as an object of establishment*, — or, in that light, any other Protestant religion. Nay, our Protestant *toleration* itself, at the Revolution, and until within a few years, required a signature of thirty-six, and a part of the thirty-seventh, out of the Thirty-Nine Articles. So little idea had they at the Revolution of *establishing* Protestantism indefinitely, that they did not indefinitely *tolerate* it under that name. I do not mean to praise that strictness, where nothing more than merely religious toleration is concerned. Toleration, being a part of moral and political prudence, ought to be tender and large. A tolerant government ought not to be too scrupulous in its investigations, but may bear without blame, not only very ill-grounded doctrines, but even many things that are positively vices, where they are *adulta et prævalida*. The good of the commonwealth is the rule which rides over the rest; and to this every other must completely submit.

The Church of Scotland knows as little of Protestantism *undefined* as the Church of England and Ireland do. She has by the articles of union secured to herself the perpetual establishment of *the Confession of Faith*, and the *Presbyterian* Church government. In England, even during the troubled interregnum, it was not thought fit to establish a *negative* religion;

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but the Parliament settled the *Presbyterian* as the Church *discipline*, the *Directory* as the rule of public *worship*, and the *Westminster Catechism* as the institute of *faith*. This is to show that at no time was the Protestant religion, *undefined*, established here or anywhere else, as I believe. I am sure, that, when the three religions were established in Germany, they were expressly characterized and declared to be the *Evangelic*, the *Reformed*, and the *Catholic;* each of which has its confession of faith and its settled discipline: so that you always may know the best and the worst of them, to enable you to make the most of what is good, and to correct or to qualify or to guard against whatever may seem evil or dangerous.

As to the coronation oath, to which you allude, as opposite to admitting a Roman Catholic to the use of any franchise whatsoever, I cannot think that the king would be perjured, if he gave his assent to any regulation which Parliament might think fit to make with regard to that affair. The king is bound by law, as clearly specified in several acts of Parliament, to be in communion with the Church of England. It is a part of the tenure by which he holds his crown; and though no provision was made till the Revolution, which could be called positive and valid in law, to ascertain this great principle, I have always considered it as in fact fundamental, that the king of England should be of the Christian religion, according to the national legal church for the time being. I conceive it was so before the Reformation. Since the Reformation it became doubly necessary; because the king is the head of that church, in some sort an ecclesiastical person, — and it would be incongruous and absurd to have the head of the Church of one

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faith, and the members of another. The king may *inherit* the crown as a *Protestant;* but he cannot *hold it*, according to law, without being a Protestant *of the Church of England.*

Before we take it for granted that the king is bound by his coronation oath not to admit any of his Catholic subjects to the rights and liberties which ought to belong to them as Englishmen, (not as religionists,) or to settle the conditions or proportions of such admission by an act of Parliament, I wish you to place before your eyes that oath itself, as it is settled in the act of William and Mary.

"Will you to the utmost of your power maintain the laws[1] of God, the true[2] profession of the[3] Gospel, and the Protestant[4] Reformed Religion *established by law?* And will you preserve[5] unto the *bishops* and clergy of this realm, and to the churches committed to *their* charge, all such rights and privileges as by law do or shall appertain unto them, or any of them? — All this I promise to do."

Here are the coronation engagements of the king. In them I do not find one word to preclude his Majesty from consenting to any arrangement which Parliament may make with regard to the civil privileges of any part of his subjects.

It may not be amiss, on account of the light which it will throw on this discussion, to look a little more narrowly into the matter of that oath, — in order to discover how far it has hitherto operated, or how far in future it ought to operate, as a bar to any proceedings of the crown and Parliament in favor of

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those against whom it may be supposed that the king has engaged to support the Protestant Church of England in the two kingdoms in which it is established by law. First, the king swears he will maintain to the utmost of his power "the laws of God." I suppose it means the natural moral laws. — Secondly, he swears to maintain "the true profession of the Gospel." By which I suppose is understood *affirmatively* the Christian religion. — Thirdly, that he will maintain "the Protestant reformed religion." This leaves me no power of supposition or conjecture; for that Protestant reformed religion is defined and described by the subsequent words, "established by law"; and in this instance, to define it beyond all possibility of doubt, he swears to maintain the "bishops and clergy, and the churches committed to their charge," in their rights present and future.

The oath as effectually prevents the king from doing anything to the prejudice of the Church, in favor of sectaries, Jews, Mahometans, or plain avowed infidels, as if he should do the same thing in favor of the Catholics. You will see that it is the same Protestant Church, so described, that the king is to maintain and communicate with, according to the Act of Settlement of the 12th and 13th of William the Third. The act of the 5th of Anne, made in prospect of the Union, is entitled, "An act for securing the Church of England as by law established." It meant to guard the Church implicitly against any other mode of Protestant religion which might creep in by means of the Union. It proves beyond all doubt, that the legislature did not mean to guard the Church on one part only, and to leave it defenceless and exposed upon

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every other. This church, in that act, is declared to be "fundamental and essential" forever, in the Constitution of the United Kingdom, so far as England is concerned; and I suppose, as the law stands, even since the independence, it is so in Ireland.

All this shows that the religion which the king is bound to maintain has a positive part in it, as well as a negative, — and that the positive part of it (in which we are in perfect agreement with the Catholics and with the Church of Scotland) is infinitely the most valuable and essential. Such an agreement we had with Protestant Dissenters in England, of those descriptions who came under the Toleration Act of King William and Queen Mary: an act coeval with the Revolution; and which ought, on the principles of the gentlemen who oppose the relief to the Catholics, to have been held sacred and unalterable. Whether we agree with the present Protestant Dissenters in the points at the Revolution held essential and fundamental among Christians, or in any other fundamental, at present it is impossible for us to know: because, at their own very earnest desire, we have repealed the Toleration Act of William and Mary, and discharged them from the signature required by that act; and because, for the far greater part, they publicly declare against all manner of confessions of faith, even the *Consensus*.

For reasons forcible enough at all times, but at this time particularly forcible with me, I dwell a little the longer upon this matter, and take the more pains, to put us both in mind that it was not settled at the Revolution that the state should be Protestant, in the latitude of the term, but in a defined and limited sense only, and that in that

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sense only the king is sworn to maintain it. To suppose that the king has sworn with his utmost power to maintain what it is wholly out of his power to discover, or which, if he could discover, he might discover to consist of things directly contradictory to each other, some of them perhaps impious, blasphemous, and seditious upon principle, would be not only a gross, but a most mischievous absurdity. If mere dissent from the Church of Rome be a merit, he that dissents the most perfectly is the most meritorious. In many points we hold strongly with that church. He that dissents throughout with that church will dissent with the Church of England, and then it will be a part of his merit that he dissents with ourselves: a whimsical species of merit for any set of men to establish. We quarrel to extremity with those who we know agree with us in many things; but we are to be so malicious even in the principle of our friendships, that we are to cherish in our bosom those who accord with us in nothing, because, whilst they despise ourselves, they abhor, even more than we do, those with whom we have some disagreement. A man is certainly the most perfect Protestant who protests against the whole Christian religion. Whether a person's having no Christian religion be a title to favor, in exclusion to the largest description of Christians, who hold all the doctrines of Christianity, though holding along with them some errors and some superfluities, is rather more than any man, who has not become recreant and apostate from his baptism, will, I believe, choose to affirm. The countenance given from a spirit of controversy to that negative religion may by degrees encourage light and unthinking peo-

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ple to a total indifference to everything positive in matters of doctrine, and, in the end, of practice too. If continued, it would play the game of that sort of active, proselytizing, and persecuting atheism which is the disgrace and calamity of our time, and which we see to be as capable of subverting a government as any mode can be of misguided zeal for better things.

Now let us fairly see what course has been taken relative to those against whom, in part at least, the king has sworn to maintain a church, *positive in its doctrine and its discipline.* The first thing done, even when the oath was fresh in the mouth of the sovereigns, was to give a toleration to Protestant Dissenters *whose doctrines they ascertained.* As to the mere civil privileges which the Dissenters held as subjects before the Revolution, these were not touched at all. The laws have fully permitted, in a qualification for all offices, to such Dissenters, *an occasional conformity:* a thing I believe singular, where tests are admitted. The act, called the Test Act, itself, is, with regard to them, grown to be hardly anything more than a dead letter. Whenever the Dissenters cease by their conduct to give any alarm to the government, in Church and State, I think it very probable that even this matter, rather disgustful than inconvenient to them, may be removed, or at least so modified as to distinguish the qualification to those offices which really *guide the state* from those which are *merely instrumental*, or that some other and better tests may be put in their place.

So far as to England. In Ireland you have outran us. Without waiting for an English example, you have totally, and without any modification whatso-

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ever, repealed the test as to Protestant Dissenters. Not having the repealing act by me, I ought not to say positively that there is no exception in it; but if it be what I suppose it is, you know very well that a Jew in religion, or a Mahometan, or even *a public, declared atheist* and blasphemer, is perfectly qualified to be Lord-Lieutenant, a lord-justice, or even keeper of the king's conscience, and by virtue of his office (if with you it be as it is with us) administrator to a great part of the ecclesiastical patronage of the crown.

Now let us deal a little fairly. We must admit that Protestant Dissent was one of the quarters from which danger was apprehended at the Revolution, and against which a part of the coronation oath was peculiarly directed. By this unqualified repeal you certainly did not mean to deny that it was the duty of the crown to preserve the Church against Protestant Dissenters; or taking this to be the true sense of the two Revolution acts of King William, and of the previous and subsequent Union acts of Queen Anne, you did not declare by this most unqualified repeal, by which you broke down all the barriers, not invented, indeed, but carefully preserved, at the Revolution, — you did not then and by that proceeding declare that you had advised the king to perjury towards God and perfidy towards the Church. No! far, very far from it! You never would have done it, if you did not think it could be done with perfect repose to the royal conscience, and perfect safety to the national established religion. You did this upon a full consideration of the circumstances of your country. Now, if circumstances required it, why should it be contrary to the king's oath, his Parliament judg-

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ing on those circumstances, to restore to his Catholic people, in such measure and with such modifications as the public wisdom shall think proper to add, *some part* in these franchises which they formerly had held without any limitation at all, and which, upon no sort of urgent reason at the time, they were deprived of? If such means can with any probability be shown, from circumstances, rather to add strength to our mixed ecclesiastical and secular Constitution than to weaken it, surely they are means infinitely to be preferred to penalties, incapacities, and proscriptions, continued from generation to generation. They are perfectly consistent with the other parts of the coronation oath, in which the king swears to maintain "the laws of God and the true profession of the Gospel, and to govern the people according to the statutes in Parliament agreed upon, and the laws and customs of the realm." In consenting to such a statute, the crown would act at least as agreeable to the laws of God, and to the true profession of the Gospel, and to the laws and customs of the kingdom, as George the First did, when he passed the statute which took from the body of the people everything which to that hour, and even after the monstrous acts of the 2nd and 8th of Anne, (the objects of our common hatred,) they still enjoyed inviolate.

It is hard to distinguish with the last degree of accuracy what laws are fundamental, and what not. However, there is a distinction between them, authorized by the writers on jurisprudence, and recognized in some of our statutes. I admit the acts of King William and Queen Anne to be fundamental, but they are not the only fundamental laws. The law called *Magna Charta*, by which it is provided that

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"no man shall be disseised of his liberties and free customs but by the judgment of his peers or the laws of the land," (meaning clearly, for some proved crime tried and adjudged,) I take to be *a fundamental law*. Now, although this Magna Charta, or some of the statutes establishing it, provide that that law shall be perpetual, and all statutes contrary to it shall be void, yet I cannot go so far as to deny the authority of statutes made in defiance of Magna Charta and all its principles. This, however, I will say, — that it is a very venerable law, made by very wise and learned men, and that the legislature, in their attempt to perpetuate it, even against the authority of future Parliaments, have shown their judgment that it is *fundamental*, on the same grounds and in the same manner that the act of the fifth of Anne has considered and declared the establishment of the Church of England to be fundamental. Magna Charta, which secured these franchises to the subjects, regarded the rights of freeholders in counties to be as much a fundamental part of the Constitution as the establishment of the Church of England was thought either at that time, or in the act of King William, or in the act of Queen Anne.

The churchmen who led in that transaction certainly took care of the material interest of which they were the natural guardians. It is the first article of Magna Charta, "that the Church of England shall be free," &c., &c. But at that period, churchmen and barons and knights took care of the franchises and free customs of the people, too. Those franchises are part of the Constitution itself, and inseparable from it. It would be a very strange thing, if there should not only exist anomalies in our laws, a thing not easy

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to prevent, but that the fundamental parts of the Constitution should be perpetually and irreconcilably at variance with each other. I cannot persuade myself that the lovers of our church are not as able to find effectual ways of reconciling its safety with the franchises of the people as the ecclesiastics of the thirteenth century were able to do; I cannot conceive how anything worse can be said of the Protestant religion of the Church of England than this, — that, wherever it is judged proper to give it a legal establishment, it becomes necessary to deprive the body of the people, if they adhere to their old opinions, of "their liberties and of all their free customs," and to reduce them to a state of *civil* servitude.

There is no man on earth, I believe, more willing than I am to lay it down as a fundamental of the Constitution, that the Church of England should be united and even identified with it; but, allowing this, I cannot allow that all *laws of regulation*, made from time to time, in support of that fundamental law, are of course equally fundamental and equally unchangeable. This would be to confound all the branches of legislation and of jurisprudence. The *crown* and the personal safety of the monarch are *fundamentals* in our Constitution: yet I hope that no man regrets that the rabble of statutes got together during the reign of Henry the Eighth, by which treasons are multiplied with so prolific an energy, have been all repealed in a body; although they were all, or most of them, made in support of things truly fundamental in our Constitution. So were several of the acts by which the crown exercised its supremacy: such as the act of Elizabeth for making the *high commission courts*, and the like; as well as things made treason

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in the time of Charles the Second. None of this species of *secondary and subsidiary laws* have been held fundamental. They have yielded to circumstances; particularly where they were thought, even in their consequences, or obliquely, to affect other fundamentals. How much more, certainly, ought they to give way, when, as in our case, they affect, not here and there, in some particular point, or in their consequence, but universally, collectively, and directly, the fundamental franchises of a people equal to the whole inhabitants of several respectable kingdoms and states: equal to the subjects of the kings of Sardinia or of Denmark; equal to those of the United Netherlands; and more than are to be found in all the states of Switzerland. This way of proscribing men by whole nations, as it were, from all the benefits of the Constitution to which they were born, I never can believe to be politic or expedient, much less necessary for the existence of any state or church in the world. Whenever I shall be convinced, which will be late and reluctantly, that the safety of the Church is utterly inconsistent with all the civil rights whatsoever of the far larger part of the inhabitants of our country, I shall be extremely sorry for it; because I shall think the Church to be truly in danger. It is putting things into the position of an ugly alternative, into which I hope in God they never will be put.

I have said most of what occurs to me on the topics you touch upon, relative to the religion of the king, and his coronation oath. I shall conclude the observations which I wished to submit to you on this point by assuring you that I think you the most remote that can be conceived from the metaphysicians

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of our times, who are the most foolish of men, and who, dealing in universals and essences, see no difference between more and less, — and who of course would think that the reason of the law which obliged the king to be a communicant of the Church of England would be as valid to exclude a Catholic from being an exciseman, or to deprive a man who has five hundred a year, under that description, from voting on a par with a factitious Protestant Dissenting freeholder of forty shillings.

Recollect, my dear friend, that it was a fundamental principle in the French monarchy, whilst it stood, that the state should be Catholic; yet the Edict of Nantes gave, not a full ecclesiastical, but a complete civil *establishment*, with places of which only they were capable, to the Calvinists of France, — and there were very few employments, indeed, of which they were not capable. The world praised the Cardinal de Richelieu, who took the first opportunity to strip them of their fortified places and cautionary towns. The same world held and does hold in execration (so far as that business is concerned) the memory of Louis the Fourteenth, for the total repeal of that favorable edict; though the talk of "fundamental laws, established religion, religion of the prince, safety to the state," &c., &c., was then as largely held, and with as bitter a revival of the animosities of the civil confusions during the struggles between the parties, as now they can be in Ireland.

Perhaps there are persons who think that the same reason does not hold, when the religious relation of the sovereign and subject is changed; but they who have their shop full of false weights and measures, and who imagine that the adding or taking away the

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name of Protestant or Papist, Guelph or Ghibelline, alters all the principles of equity, policy, and prudence, leave us no common data upon which we can reason. I therefore pass by all this, which on you will make no impression, to come to what seems to be a serious consideration in your mind: I mean the dread you express of "reviewing, for the purpose of altering, the *principles of the Revolution.*" This is an interesting topic, on which I will, as fully as your leisure and mine permits, lay before you the ideas I have formed.

First, I cannot possibly confound in my mind all the things which were done at the Revolution with the *principles* of the Revolution. As in most great changes, many things were done from the necessities of the time, well or ill understood, from passion or from vengeance, which were not only not perfectly agreeable to its principles, but in the most direct contradiction to them. I shall not think that the *deprivation of some millions of people of all the rights of citizens, and all interest in the Constitution, in and to which they were born*, was a thing conformable to the *declared principles* of the Revolution. This I am sure is true relatively to England (where the operation of these *anti-principles* comparatively were of little extent); and some of our late laws, in repealing acts made immediately after the Revolution, admit that some things then done were not done in the true spirit of the Revolution. But the Revolution operated differently in England and Ireland, in many, and these essential particulars. Supposing the principles to have been altogether the same in both kingdoms, by the application of those principles to very different objects the whole spirit of the system was

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changed, not to say reversed. In England it was the struggle of the *great body* of the people for the establishment of their liberties, against the efforts of a very *small faction*, who would have oppressed them. In Ireland it was the establishment of the power of the smaller number, at the expense of the civil liberties and properties of the far greater part, and at the expense of the political liberties of the whole. It was, to say the truth, not a revolution, but a conquest: which is not to say a great deal in its favor. To insist on everything done in Ireland at the Revolution would be to insist on the severe and jealous policy of a conqueror, in the crude settlement of his new acquisition, as a *permanent* rule for its future government. This no power, in no country that ever I heard of, has done or professed to do, — except in Ireland; where it is done, and possibly by some people will be professed. Time has, by degrees, in all other places and periods, blended and coalited the conquered with the conquerors. So, after some time, and after one of the most rigid conquests that we read of in history, the Normans softened into the English. I wish you to turn your recollection to the fine speech of Cerealis to the Gauls, made to dissuade them from revolt. Speaking of the Romans, — "*Nos* quamvis toties lacessiti, jure victoriæ id solum vobis addidimus, quo pacem tueremur: nam neque quies gentium sine armis, neque arma sine stipendiis, neque stipendia sine tributis haberi queant. *Cætera in communi sita sunt:* ipsi plerumque nostris exercitibus *præsidetis:* ipsi has aliasque provincias *regitis: nil separatum clausumve.* Proinde pacem et urbem, quam *victores victique eodem jure obtinemus*, amate, colite." You will consider whether the ar-

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guments used by that Roman to these Gauls would apply to the case in Ireland, — and whether you could use so plausible a preamble to any severe warning you might think it proper to hold out to those who should resort to sedition, instead of supplication, to obtain any object that they may pursue with the governing power.

For a much longer period than that which had sufficed to blend the Romans with the nation to which of all others they were the most adverse, the Protestants settled in Ireland considered themselves in no other light than that of a sort of a colonial garrison, to keep the natives in subjection to the other state of Great Britain. The whole spirit of the Revolution in Ireland was that of not the mildest conqueror. In truth, the spirit of those proceedings did not commence at that era, nor was religion of any kind their primary object. What was done was not in the spirit of a contest between two religious factions, but between two adverse nations. The statutes of Kilkenny show that the spirit of the Popery laws, and some even of their actual provisions, as applied between Englishry and Irishry, had existed in that harassed country before the words *Protestant* and *Papist* were heard of in the world. If we read Baron Finglas, Spenser, and Sir John Davies, we cannot miss the true genius and policy of the English government there before the Revolution, as well as during the whole reign of Queen Elizabeth. Sir John Davies boasts of the benefits received by the natives, by extending to them the English law, and turning the whole kingdom into shire ground. But the appearance of things alone was changed. The original scheme was never deviated from for a single hour.



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Unheard-of confiscations were made in the northern parts, upon grounds of plots and conspiracies, never proved upon their supposed authors. The war of chicane succeeded to the war of arms and of hostile statutes; and a regular series of operations was carried on, particularly from Chichester's time, in the ordinary courts of justice, and by special commissions and inquisitions,—first under pretence of tenures, and then of titles in the crown, for the purpose of the total extirpation of the interest of the natives in their own soil,—until this species of subtle ravage, being carried to the last excess of oppression and insolence under Lord Strafford, it kindled the flames of that rebellion which broke out in 1641. By the issue of that war, by the turn which the Earl of Clarendon gave to things at the Restoration, and by the total reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and, in a great measure, too, of the first races of the English, was completely accomplished. The new English interest was settled with as solid a stability as anything in human affairs can look for. All the penal laws of that unparalleled code of oppression, which were made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon and were not at all afraid to provoke. They were not the effect of their fears, but of their security. They who carried on this system looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain that no complaints of the natives would be heard on this side of the water with any other sentiments than those of contempt and indignation. Their cries served only to augment their

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torture. Machines which could answer their purposes so well must be of an excellent contrivance. Indeed, in England, the double name of the complainants, Irish and Papists, (it would be hard to say which singly was the most odious,) shut up the hearts of every one against them. Whilst that temper prevailed, (and it prevailed in all its force to a time within our memory,) every measure was pleasing and popular just in proportion as it tended to harass and ruin a set of people who were looked upon as enemies to God and man, and, indeed, as a race of bigoted savages who were a disgrace to human nature itself.

However, as the English in Ireland began to be domiciliated, they began also to recollect that they had a country. The *English interest*, at first by faint and almost insensible degrees, but at length openly and avowedly, became an *independent Irish interest*, —full as independent as it could ever have been if it had continued in the persons of the native Irish; and it was maintained with more skill and more consistency than probably it would have been in theirs. With their views, the *Anglo-Irish* changed their maxims: it was necessary to demonstrate to the whole people that there was something, at least, of a common interest, combined with the independency, which was to become the object of common exertions. The mildness of government produced the first relaxation towards the Irish; the necessities, and, in part, too, the temper that predominated at this great change, produced the second and the most important of these relaxations. English government and Irish legislature felt jointly the propriety of this measure. The Irish Parliament and nation became independent.

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The true revolution to you, that which most intrinsically and substantially resembled the English Revolution of 1688, was the Irish Revolution of 1782. The Irish Parliament of 1782 bore little resemblance to that which sat in that kingdom after the period of the first of these revolutions. It bore a much nearer resemblance to that which sat under King James. The change of the Parliament in 1782 from the character of the Parliament which, as a token of its indignation, had burned all the journals indiscriminately of the former Parliament in the Council-Chamber, was very visible. The address of King William's Parliament, the Parliament which assembled after the Revolution, amongst other causes of complaint (many of them sufficiently just) complains of the repeal by their predecessors of Poynings's law, — no absolute idol with the Parliament of 1782.

Great Britain, finding the Anglo-Irish highly animated with a spirit which had indeed shown itself before, though with little energy and many interruptions, and therefore suffered a multitude of uniform precedents to be established against it, acted, in my opinion, with the greatest temperance and wisdom. She saw that the disposition of the *leading part* of the nation would not permit them to act any longer the part of a *garrison*. She saw that true policy did not require that they ever should have appeared in that character; or if it had done so formerly, the reasons had now ceased to operate. She saw that the Irish of her race were resolved to build their Constitution and their politics upon another bottom. With those things under her view, she instantly complied with the whole of your demands,

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without any reservation whatsoever. She surrendered that boundless superiority, for the preservation of which, and the acquisition, she had supported the English colonies in Ireland for so long a time, and at so vast an expense (according to the standard of those ages) of her blood and treasure.

When we bring before us the matter which history affords for our selection, it is not improper to examine the spirit of the several precedents which are candidates for our choice. Might it not be as well for your statesmen, on the other side of the water, to take an example from this latter and surely more conciliatory revolution, as a pattern for your conduct towards your own fellow-citizens, than from that of 1688, when a paramount sovereignty over both you and them was more loftily claimed and more sternly exerted than at any former or at any subsequent period? Great Britain in 1782 rose above the vulgar ideas of policy, the ordinary jealousies of state, and all the sentiments of national pride and national ambition. If she had been more disposed (than, I thank God for it, she was) to listen to the suggestions of passion than to the dictates of prudence, she might have urged the principles, the maxims, the policy, the practice of the Revolution, against the demands of the leading description in Ireland, with full as much plausibility and full as good a grace as any amongst them can possibly do against the supplications of so vast and extensive a description of their own people.

A good deal, too, if the spirit of domination and exclusion had prevailed in England, might have been excepted against some of the means then employed in Ireland, whilst her claims were in agitation. They

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were at least as much out of ordinary course as those which are now objected against admitting your people to any of the benefits of an English Constitution. Most certainly, neither with you nor here was any one ignorant of what was at that time said, written, and done. But on all sides we separated the means from the end: and we separated the cause of the moderate and rational from the ill-intentioned and seditious, which on such occasions are so frequently apt to march together. At that time, on your part, you were not afraid to review what was done at the Revolution of 1688, and what had been continued during the subsequent flourishing period of the British empire. The change then made was a great and fundamental alteration. In the execution, it was an operose business on both sides of the water. It required the repeal of several laws, the modification of many, and a new course to be given to an infinite number of legislative, judicial, and official practices and usages in both kingdoms. This did not frighten any of us. You are now asked to give, in some moderate measure, to your fellow-citizens, what Great Britain gave to you without any measure at all. Yet, notwithstanding all the difficulties at the time, and the apprehensions which some very well-meaning people entertained, through the admirable temper in which this revolution (or restoration in the nature of a revolution) was conducted in both kingdoms, it has hitherto produced no inconvenience to either; and I trust, with the continuance of the same temper, that it never will. I think that this small, inconsiderable change, (relative to an exclusive statute not made at the Revolution,) for restoring the people to the benefits from which the

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green soreness of a civil war had not excluded them, will be productive of no sort of mischief whatsoever. Compare what was done in 1782 with what is wished in 1792; consider the spirit of what has been done at the several periods of reformation; and weigh maturely whether it be exactly true that conciliatory concessions are of good policy only in discussions between nations, but that among descriptions in the same nation they must always be irrational and dangerous. What have you suffered in your peace, your prosperity, or, in what ought ever to be dear to a nation, your glory, by the last act by which you took the property of that people under the protection of the *laws?* What reasons have you to dread the consequences of admitting the people possessing that property to some share in the protection of the *Constitution?*

I do not mean to trouble you with anything to remove the objections, I will not call them arguments, against this measure, taken from a ferocious hatred to all that numerous description of Christians. It would be to pay a poor compliment to your understanding or your heart. Neither *your* religion nor *your* politics consist "in odd, perverse antipathies." You are not resolved to persevere in proscribing from the Constitution so many millions of your countrymen, because, in contradiction to experience and to common sense, you think proper to imagine that their principles are subversive of common human society. To that I shall only say, that whoever has a temper which can be gratified by indulging himself in these good-natured fancies ought to do a great deal more. For an exclusion from the privileges of British subjects is not a cure for so terrible

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a distemper of the human mind as they are pleased to suppose in their countrymen. I rather conceive a participation in those privileges to be itself a remedy for some mental disorders.

As little shall I detain you with matters that can as little obtain admission into a mind like yours: such as the fear, or pretence of fear, that, in spite of your own power and the trifling power of Great Britain, you may be conquered by the Pope; or that this commodious bugbear (who is of infinitely more use to those who pretend to fear than to those who love him) will absolve his Majesty's subjects from their allegiance, and send over the Cardinal of York to rule you as his viceroy; or that, by the plenitude of his power, he will take that fierce tyrant, the king of the French, out of his jail, and arm that nation (which on all occasions treats his Holiness so very politely) with his bulls and pardons, to invade poor old Ireland, to reduce you to Popery and slavery, and to force the free-born, naked feet of your people into the wooden shoes of that arbitrary monarch. I do not believe that discourses of this kind are held, or that anything like them will be held, by any who walk about without a keeper. Yet I confess, that, on occasions of this nature, I am the most afraid of the weakest reasonings, because they discover the strongest passions. These things will never be brought out in definite propositions. They would not prevent pity towards any persons; they would only cause it for those who were capable of talking in such a strain. But I know, and am sure, that such ideas as no man will distinctly produce to another, or hardly venture to bring in any plain shape to his own mind, he will utter in obscure, ill-explained doubts,

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jealousies, surmises, fears, and apprehensions, and that in such a fog they will appear to have a good deal of size, and will make an impression, when, if they were clearly brought forth and defined, they would meet with nothing but scorn and derision.

There is another way of taking an objection to this concession, which I admit to be something more plausible, and worthy of a more attentive examination. It is, that this numerous class of people is mutinous, disorderly, prone to sedition, and easy to be wrought upon by the insidious arts of wicked and designing men; that, conscious of this, the sober, rational, and wealthy part of that body, who are totally of another character, do by no means desire any participation for themselves, or for any one else of their description, in the franchises of the British Constitution.

I have great doubt of the exactness of any part of this observation. But let us admit that the body of the Catholics are prone to sedition, (of which, as I have said, I entertain much doubt,) is it possible that any fair observer or fair reasoner can think of confining this description to them only? I believe it to be possible for men to be mutinous and seditious who feel no grievance, but I believe no man will assert seriously, that, when people are of a turbulent spirit, the best way to keep them in order is to furnish them with something substantial to complain of.

You separate, very properly, the sober, rational, and substantial part of their description from the rest. You give, as you ought to do, weight only to the former. What I have always thought of the matter is this,—that the most poor, illiterate, and uninformed creatures upon earth are judges of a *practical* oppression. It is a matter of feeling; and as

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such persons generally have felt most of it, and are not of an over-lively sensibility, they are the best judges of it. But for *the real cause*, or *the appropriate remedy*, they ought never to be called into council about the one or the other. They ought to be totally shut out: because their reason is weak; because, when once roused, their passions are ungoverned; because they want information; because the smallness of the property which individually they possess renders them less attentive to the consequence of the measures they adopt in affairs of moment. When I find a great cry amongst the people who speculate little, I think myself called seriously to examine into it, and to separate the real cause from the ill effects of the passion it may excite, and the bad use which artful men may make of an irritation of the popular mind. Here we must be aided by persons of a contrary character; we must not listen to the desperate or the furious: but it is therefore necessary for us to distinguish who are the *really* indigent and the *really* intemperate. As to the persons who desire this part in the Constitution, I have no reason to imagine that they are men who have nothing to lose and much to look for in public confusion. The popular meeting from which apprehensions have been entertained has assembled. I have accidentally had conversation with two friends of mine who know something of the gentleman who was put into the chair upon that occasion: one of them has had money transactions with him; the other, from curiosity, has been to see his concerns: they both tell me he is a man of some property: but you must be the best judge of this, who by your office are likely to know his transactions. Many of the others are certainly per-

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sons of fortune; and all, or most, fathers of families, men in respectable ways of life, and some of them far from contemptible, either for their information, or for the abilities which they have shown in the discussion of their interests. What such men think it for their advantage to acquire ought not, *prima facie*, to be considered as rash or heady or incompatible with the public safety or welfare.

I admit, that men of the best fortunes and reputations, and of the best talents and education too, may by accident show themselves furious and intemperate in their desires. This is a great misfortune, when it happens; for the first presumptions are undoubtedly in their favor. We have two standards of judging, in this case, of the sanity and sobriety of any proceedings, — of unequal certainty, indeed, but neither of them to be neglected: the first is by the value of the object sought; the next is by the means through which it is pursued.

The object pursued by the Catholics is, I understand, and have all along reasoned as if it were so, in some degree or measure to be again admitted to the franchises of the Constitution. Men are considered as under some derangement of their intellects, when they see good and evil in a different light from other men, — when they choose nauseous and unwholesome food, and reject such as to the rest of the world seems pleasant and is known to be nutritive. I have always considered the British Constitution not to be a thing in itself so vicious as that none but men of deranged understanding and turbulent tempers could desire a share in it: on the contrary, I should think very indifferently of the understanding and temper of any body of men who did not wish to

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partake of this great and acknowledged benefit. I cannot think quite so favorably either of the sense or temper of those, if any such there are, who would voluntarily persuade their brethren that the object is not fit for them, or they for the object. Whatever may be my thoughts concerning them, I am quite sure that they who hold such language must forfeit all credit with the rest. This is infallible, — if they conceive any opinion of their judgment, they cannot possibly think them their friends. There is, indeed, one supposition which would reconcile the conduct of such gentlemen to sound reason, and to the purest affection towards their fellow-sufferers: it is, that they act under the impression of a well-grounded fear for the general interest. If they should be told, and should believe the story, that, if they dare attempt to make their condition better, they will infallibly make it worse, — that, if they aim at obtaining liberty, they will have their slavery doubled, — that their endeavor to put themselves upon anything which approaches towards an equitable footing with their fellow-subjects will be considered as an indication of a seditious and rebellious disposition, — such a view of things ought perfectly to restore the gentlemen, who so anxiously dissuade their countrymen from wishing a participation with the privileged part of the people, to the good opinion of their fellows. But what is to *them* a very full justification is not quite so honorable to that power from whose maxims and temper so good a ground of rational terror is furnished. I think arguments of this kind will never be used by the friends of a government which I greatly respect, or by any of the leaders of an opposition whom I have the honor to know and the sense to admire. I re-

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member Polybius tells us, that, during his captivity in Italy as a Peloponnesian hostage, he solicited old Cato to intercede with the Senate for his release, and that of his countrymen: this old politician told him that he had better continue in his present condition, however irksome, than apply again to that formidable authority for their relief; that he ought to imitate the wisdom of his countryman Ulysses, who, when he was once out of the den of the Cyclops, had too much sense to venture again into the same cavern. But I conceive too high an opinion of the Irish legislature to think that they are to their fellow-citizens what the grand oppressors of mankind were to a people whom the fortune of war had subjected to their power. For though Cato could use such a parallel with regard to his Senate, I should really think it nothing short of impious to compare an Irish Parliament to a den of Cyclops. I hope the people, both here and with you, will always apply to the House of Commons with becoming modesty, but at the same time with minds unembarrassed with any sort of terror.

As to the means which the Catholics employ to obtain this object, so worthy of sober and rational minds, I do admit that such means may be used in the pursuit of it as may make it proper for the legislature, in this case, to defer their compliance until the demandants are brought to a proper sense of their duty. A concession in which the governing power of our country loses its dignity is dearly bought even by him who obtains his object. All the people have a deep interest in the dignity of Parliament. But as the refusal of franchises which are drawn out of the first vital stamina of the British

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Constitution is a very serious thing, we ought to be very sure that the manner and spirit of the application is offensive and dangerous indeed, before we ultimately reject all applications of this nature. The mode of application, I hear, is by petition. It is the manner in which all the sovereign powers of the world are approached; and I never heard (except in the case of James the Second) that any prince considered this manner of supplication to be contrary to the humility of a subject or to the respect due to the person or authority of the sovereign. This rule, and a correspondent practice, are observed from the Grand Seignior down to the most petty prince or republic in Europe.

You have sent me several papers, some in print, some in manuscript. I think I had seen all of them, except the formula of association. I confess they appear to me to contain matter mischievous, and capable of giving alarm, if the spirit in which they are written should be found to make any considerable progress. But I am at a loss to know how to apply them as objections to the case now before us. When I find that *the General Committee* which acts for the Roman Catholics in Dublin prefers the association proposed in the written draught you have sent me to a respectful application in Parliament, I shall think the persons who sign such a paper to be unworthy of any privilege which may be thought fit to be granted, and that such men ought, *by name*, to be excepteꝺ fr ɔm any benefit under the Constitution to which they offer this violence. But I do not find that this form of a seditious league has been signed by any person whatsoever, either on the part of the supposed projectors, or on the part of those whom it is

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calculated to seduce. I do not find, on inquiry, that such a thing was mentioned, or even remotely alluded to, in the general meeting of the Catholics from which so much violence was apprehended. I have considered the other publications, signed by individuals on the part of certain societies, —I may mistake, for I have not the honor of knowing them personally, but I take Mr. Butler and Mr. Tandy not to be Catholics, but members of the Established Church. Not *one* that I recollect of these publications, which you and I equally dislike, appears to be written by persons of that persuasion. Now, if, whilst a man is dutifully soliciting a favor from Parliament, any person should choose in an improper manner to show his inclination towards the cause depending, and if that *must* destroy the cause of the petitioner, then, not only the petitioner, but the legislature itself, is in the power of any weak friend or artful enemy that the supplicant or that the Parliament may have. A man must be judged by his own actions only. Certain Protestant Dissenters make seditious propositions to the Catholics, which it does not appear that they have yet accepted. It would be strange that the tempter should escape all punishment, and that he who, under circumstances full of seduction and full of provocation, has resisted the temptation should incur the penalty. You know, that, with regard to the Dissenters, who are *stated* to be the chief movers in this vile scheme of altering the principles of election to a right of voting by the head, you are not able (if you ought even to wish such a thing) to deprive them of any part of the franchises and privileges which they hold on a footing of perfect equality with yourselves. *They* may do what

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they please with constitutional impunity; but the others cannot even listen with civility to an invitation from them to an ill-judged scheme of liberty, without forfeiting forever all hopes of any of those liberties which we admit to be sober and rational.

It is known, I believe, that the greater as well as the sounder part of our excluded countrymen have not adopted the wild ideas and wilder engagements which have been held out to them, but have rather chosen to hope small and safe concessions from the legal power than boundless objects from trouble and confusion. This mode of action seems to me to mark men of sobriety, and to distinguish them from those who are intemperate, from circumstance or from nature. But why do they not instantly disclaim and disavow those who make such advances to them? In this, too, in my opinion, they show themselves no less sober and circumspect. In the present moment nothing short of insanity could induce them to take such a step. Pray consider the circumstances. Disclaim, says somebody, all union with the Dissenters; — right. — But when this your injunction is obeyed, shall I obtain the object which I solicit from *you?* — Oh, no, nothing at all like it! — But, in punishing us, by an exclusion from the Constitution through the great gate, for having been invited to enter into it by a postern, will you punish by deprivation of their privileges, or mulct in any other way, those who have tempted us? — Far from it; — we mean to preserve all *their* liberties and immunities, as *our* life-blood. We mean to cultivate *them*, as brethren whom we love and respect; — with *you* we have no fellowship. We can bear with patience their enmity to ourselves; but their friendship with

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you we will not endure. But mark it well! All our quarrels with *them* are always to be revenged upon *you*. Formerly, it is notorious that we should have resented with the highest indignation your presuming to show any ill-will to them. You must not suffer them, now, to show any good-will to you. Know — and take it once for all — that it is, and ever has been, and ever will be, a fundamental maxim in our politics, that you are not to have any part or shadow or name of interest whatever in our state; that we look upon you as under an irreversible outlawry from our Constitution, — as perpetual and unalliable aliens.

Such, my dear Sir, is the plain nature of the argument drawn from the Revolution maxims, enforced by a supposed disposition in the Catholics to unite with the Dissenters. Such it is, though it were clothed in never such bland and civil forms, and wrapped up, as a poet says, in a thousand "artful folds of sacred lawn." For my own part, I do not know in what manner to shape such arguments, so as to obtain admission for them into a rational understanding. Everything of this kind is to be reduced at last to threats of power. I cannot say, *Væ victis!* and then throw the sword into the scale. I have no sword; and if I had, in this case, most certainly, I would not use it as a makeweight in political reasoning.

Observe, on these principles, the difference between the procedure of the Parliament and the Dissenters towards the people in question. One employs courtship, the other force. The Dissenters offer bribes, the Parliament nothing but the *front négatif* of a stern and forbidding authority. A man may be very



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wrong in his ideas of what is good for him. But no man affronts me, nor can therefore justify my affronting him, by offering to make me as happy as himself, according to his own ideas of happiness. This the Dissenters do to the Catholics. You are on the dif ferent extremes. The Dissenters offer, with regard to constitutional rights and civil advantages of all sorts, *everything;* you refuse *everything*. With them, there is boundless, though not very assured hope; with you, a very sure and very unqualified despair. The terms of alliance from the Dissenters offer a representation of the commons, chosen out of the people by the head. This is absurdly and dangerously large, in my opinion; and that scheme of election is known to have been at all times perfectly odious to me. But I cannot think it right of course to punish the Irish Roman Catholics by an universal exclusion, because others, whom you would not punish at all, propose an universal admission. I cannot dissemble to myself, that, in this very kingdom, many persons who are not in the situation of the Irish Catholics, but who, on the contrary, enjoy the full benefit of the Constitution as it stands, and some of whom, from the effect of their fortunes, enjoy it in a large measure, had some years ago associated to procure great and undefined changes (they considered them as reforms) in the popular part of the Constitution. Our friend, the late Mr. Flood, (no slight man,) proposed in his place, and in my hearing, a representation not much less extensive than this, for England, — in which every house was to be inhabited by a voter, *in addition* to all the actual votes by other titles (some of the corporate) which we know do not require a house or a shed. Can I forget that a person of the

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very highest rank, of very large fortune, and of the first class of ability, brought a bill into the House of Lords, in the head-quarters of aristocracy, containing identically the same project for the supposed adoption of which by a club or two it is thought right to extinguish all hopes in the Roman Catholics of Ireland? I cannot say it was very eagerly embraced or very warmly pursued. But the Lords neither did disavow the bill, nor treat it with any disregard, nor express any sort of disapprobation of its noble author, who has never lost, with king or people, the least degree of the respect and consideration which so justly belongs to him.

I am not at all enamored, as I have told you, with this plan of representation; as little do I relish any bandings or associations for procuring it. But if the question was to be put to you and me, — *Universal* popular representation, or *none at all for us and ours*, — we should find ourselves in a very awkward position. I do not like this kind of dilemmas, especially when they are practical.

Then, since our oldest fundamental laws follow, or rather couple, freehold with franchise, — since no principle of the Revolution shakes these liberties, — since the oldest and one of the best monuments of the Constitution demands for the Irish the privilege which they supplicate, — since the principles of the Revolution coincide with the declarations of the Great Charter, — since the practice of the Revolution, in this point, did not contradict its principles, — since, from that event, twenty-five years had elapsed, before a domineering party, on a party principle, had ventured to disfranchise, without any proof whatsoever of abuse, the greater part of the community, — since the king's

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coronation oath does not stand in his way to the performance of his duty to all his subjects, — since you have given to all other Dissenters these privileges without limit which are hitherto withheld without any limitation whatsoever from the Catholics, — since no nation in the world has ever been known to exclude so great a body of men (not born slaves) from the civil state, and all the benefits of its Constitution, — the whole question comes before Parliament as a matter for its prudence. I do not put the thing on a question of right. That discretion, which in judicature is well said by Lord Coke to be a crooked cord, in legislature is a golden rule. Supplicants ought not to appear too much in the character of litigants. If the subject thinks so highly and reverently of the sovereign authority as not to claim anything of right, so that it may seem to be independent of the power and free choice of its government, — and if the sovereign, on his part, considers the advantages of the subjects as their right, and all their reasonable wishes as so many claims, — in the fortunate conjunction of these mutual dispositions are laid the foundations of a happy and prosperous commonwealth. For my own part, desiring of all things that the authority of the legislature under which I was born, and which I cherish, not only with a dutiful awe, but with a partial and cordial affection, to be maintained in the utmost possible respect, I never will suffer myself to suppose that at bottom their discretion will be found to be at variance with their justice.

The whole being at discretion, I beg leave just to suggest some matters for your consideration: — Whether the government in Church or State is likely to be more secure by continuing causes of grounded

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discontent to a very great number (say two millions) of the subjects? or whether the Constitution, combined and balanced as it is, will be rendered more solid by depriving so large a part of the people of all concern or interest or share in its representation, actual or *virtual?* I here mean to lay an emphasis on the word *virtual.* Virtual representation is that in which there is a communion of interests and a sympathy in feelings and desires between those who act in the name of any description of people and the people in whose name they act, though the trustees are not actually chosen by them. This is virtual representation. Such a representation I think to be in many cases even better than the actual. It possesses most of its advantages, and is free from many of its inconveniences; it corrects the irregularities in the literal representation, when the shifting current of human affairs or the acting of public interests in different ways carry it obliquely from its first line of direction. The people may err in their choice; but common interest and common sentiment are rarely mistaken. But this sort of virtual representation cannot have a long or sure existence, if it has not a substratum in the actual. The member must have some relation to the constituent. As things stand, the Catholic, as a Catholic, and belonging to a description, has no *virtual* relation to the representative,—but the *contrary.* There is a relation in mutual obligation. Gratitude may not always have a very lasting power; but the frequent recurrence of an application for favors will revive and refresh it, and will necessarily produce some degree of mutual attention. It will produce, at least, acquaintance. The several descriptions of people will not be kept so much apart

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as they now are, as if they were not only separate nations, but separate species. The stigma and reproach, the hideous mask will be taken off, and men will see each other as they are. Sure I am that there have been thousands in Ireland who have never conversed with a Roman Catholic in their whole lives, unless they happened to talk to their gardener's workmen, or to ask their way, when they had lost it in their sports, — or, at best, who had known them only as footmen, or other domestics, of the second and third order: and so averse were they, some time ago, to have them near their persons, that they would not employ even those who could never find their way beyond the stable. I well remember a great, and in many respects a good man, who advertised for a blacksmith, but at the same time added, he must be a Protestant. It is impossible that such a state of things, though natural goodness in many persons will undoubtedly make exceptions, must not produce alienation on the one side and pride and insolence on the other.

Reduced to a question of discretion, and that discretion exercised solely upon what will appear best for the conservation of the state on its present basis, I should recommend it to your serious thoughts, whether the narrowing of the foundation is always the best way to secure the building? The body of disfranchised men will not be perfectly satisfied to remain always in that state. If they are not satisfied, you have two millions of subjects in your bosom full of uneasiness: not that they cannot overturn the Act of Settlement, and put themselves and you under an arbitrary master; or that they are not permitted to spawn a hydra of wild republics, on principles of a

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pretended natural equality in man ; but because you will not suffer them to enjoy the ancient, fundamental, tried advantages of a British Constitution, — that you will not permit them to profit of the protection of a common father or the freedom of common citizens, and that the only reason which can be assigned for this disfranchisement has a tendency more deeply to ulcerate their minds than the act of exclusion itself. What the consequence of such feelings must be it is for you to look to. To warn is not to menace.

I am far from asserting that men will not excite disturbances without just cause. I know that such an assertion is not true. But neither is it true that disturbances have never just complaints for their origin. I am sure that it is hardly prudent to furnish them with such causes of complaint as every man who thinks the British Constitution a benefit may think at least colorable and plausible.

Several are in dread of the manœuvres of certain persons among the Dissenters, who turn this ill humor to their own ill purposes. You know, better than I can, how much these proceedings of certain among the Dissenters are to be feared. You are to weigh, with the temper which is natural to you, whether it may be for the safety of our establishment that the Catholics should be ultimately persuaded that they have no hope to enter into the Constitution but through the Dissenters.

Think whether this be the way to prevent or dissolve factious combinations against the Church or the State. Reflect seriously on the possible consequences of keeping in the heart of your country a bank of discontent, every hour accumulating, upon

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which every description of seditious men may draw at pleasure. They whose principles of faction will dispose them to the establishment of an arbitrary monarchy will find a nation of men who have no sort of interest in freedom, but who will have an interest in that equality of justice or favor with which a wise despot must view all his subjects who do not attack the foundations of his power. Love of liberty itself may, in such men, become the means of establishing an arbitrary domination. On the other hand, they who wish for a democratic republic will find a set of men who have no choice between civil servitude and the entire ruin of a mixed Constitution.

Suppose the people of Ireland divided into three parts. Of these, (I speak within compass,) two are Catholic; of the remaining third, one half is composed of Dissenters. There is no natural union between those descriptions. It may be produced. If the two parts Catholic be driven into a close confederacy with half the third part of Protestants, with a view to a change in the Constitution in Church or State or both, and you rest the whole of their security on a handful of gentlemen, clergy, and their dependents, — compute the strength *you have in Ireland*, to oppose to grounded discontent, to capricious innovation, to blind popular fury, and to ambitious, turbulent intrigue.

You mention that the minds of some gentlemen are a good deal heated, and that it is often said, that, rather than submit to such persons, having a share in their franchises, they would throw up their independence, and precipitate an union with Great Britain. I have heard a discussion concerning such

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an union amongst all sorts of men ever since I remember anything. For my own part, I have never been able to bring my mind to anything clear and decisive upon the subject. There cannot be a more arduous question. As far as I can form an opinion, it would not be for the mutual advantage of the two kingdoms. Persons, however, more able than I am think otherwise. But whatever the merits of this union may be, to make it a *menace*, it must be shown to be an *evil*, and an evil more particularly to those who are threatened with it than to those who hold it out as a terror. I really do not see how this threat of an union can operate, or that the Catholics are more likely to be losers by that measure than the churchmen.

The humors of the people, and of politicians too, are so variable in themselves, and are so much under the occasional influence of some leading men, that it is impossible to know what turn the public mind here would take on such an event. There is but one thing certain concerning it. Great divisions and vehement passions would precede this union, both on the measure itself and on its terms; and particularly, this very question of a share in the representation for the Catholics, from whence the project of an union originated, would form a principal part in the discussion; and in the temper in which some gentlemen seem inclined to throw themselves, by a sort of high, indignant passion, into the scheme, those points would not be deliberated with all possible calmness.

From my best observation, I should greatly doubt, whether, in the end, these gentlemen would obtain their object, so as to make the exclusion of two millions of their countrymen a fundamental article in

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the union. The demand would be of a nature quite unprecedented. You might obtain the union; and yet a gentleman, who, under the new union establishment, would aspire to the honor of representing his county, might possibly be as much obliged, as he may fear to be under the old separate establishment, to the unsupportable mortification of asking his neighbors, who have a different opinion concerning the elements in the sacrament, for their votes.

I believe, nay, I am sure, that the people of Great Britain, with or without an union, might be depended upon, in cases of any real danger, to aid the government of Ireland, with the same cordiality as they would support their own, against any wicked attempts to shake the security of the happy Constitution in Church and State. But before Great Britain engages in any quarrel, the *cause of the dispute* would certainly be a part of her consideration. If confusions should arise in that kingdom from too steady an attachment to a proscriptive, monopolizing system, and from the resolution of regarding the franchise, and in it the security of the subject, as belonging rather to religious opinions than to civil qualification and civil conduct, I doubt whether you might quite certainly reckon on obtaining an aid of force from hence for the support of that system. We might extend your distractions to this country by taking part in them. England will be indisposed, I suspect, to send an army for the conquest of Ireland. What was done in 1782 is a decisive proof of her sentiments of justice and moderation. She will not be fond of making another American war in Ireland. The principles of such a war would but too much resemble the former one. The well-disposed and

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the ill-disposed in England would (for different reasons perhaps) be equally averse to such an enterprise. The confiscations, the public auctions, the private grants, the plantations, the transplantations, which formerly animated so many adventurers, even among sober citizens, to such Irish expeditions, and which possibly might have animated some of them to the American, can have no existence in the case that we suppose.

Let us form a supposition, (no foolish or ungrounded supposition,) that, in an age when men are infinitely more disposed to heat themselves with political than religious controversies, the former should entirely prevail, as we see that in some places they have prevailed, over the latter, — and that the Catholics of Ireland, from the courtship paid them on the one hand, and the high tone of refusal on the other, should, in order to enter into all the rights of subjects, all become Protestant Dissenters, and, as the others do, take all your oaths. They would all obtain their civil objects; and the change, for anything I know to the contrary, (in the dark as I am about the Protestant Dissenting tenets,) might be of use to the health of their souls. But what security our Constitution, in Church or State, could derive from that event, I cannot possibly discern. Depend upon it, it is as true as Nature is true, that, if you force them out of the religion of habit, education, or opinion, it is not to yours they will ever go. Shaken in their minds, they will go to that where the dogmas are fewest, — where they are the most uncertain, — where they lead them the least to a consideration of what they have abandoned. They will go to that uniformly democratic system to whose first move-

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ments they owed their emancipation. I recommend you seriously to turn this in your mind. Believe that it requires your best and maturest thoughts. Take what course you please, — union or no union; whether the people remain Catholics or become Protestant Dissenters, sure it is that the present state of monopoly *cannot* continue.

If England were animated, as I think she is not, with her former spirit of domination, and with the strong theological hatred which she once cherished for that description of her fellow-Christians and fellow-subjects, I am yet convinced, that, after the fullest success in a ruinous struggle, you would be obliged to abandon that monopoly. We were obliged to do this, even when everything promised success, in the American business. If you should make this experiment at last, under the pressure of any necessity, you never can do it well. But if, instead of falling into a passion, the leading gentlemen of the country themselves should undertake the business cheerfully, and with hearty affection towards it, great advantages would follow. What is forced cannot be modified: but here you may measure your concessions.

It is a consideration of great moment, that you make the desired admission without altering the system of your representation in the smallest degree or in any part. You may leave that deliberation of a Parliamentary change or reform, if ever you should think fit to engage in it, uncomplicated and unembarrassed with the other question. Whereas, if they are mixed and confounded, as some people attempt to mix and confound them, no one can answer for the effects on the Constitution itself.

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There is another advantage in taking up this business singly and by an arrangement for the single object. It is that you may proceed by *degrees*. We must all obey the great law of change. It is the most powerful law of Nature, and the means perhaps of its conservation. All we can do, and that human wisdom can do, is to provide that the change shall proceed by insensible degrees. This has all the benefits which may be in change, without any of the inconveniences of mutation. Everything is provided for as it arrives. This mode will, on the one hand, prevent the *unfixing old interests at once:* a thing which is apt to breed a black and sullen discontent in those who are at once dispossessed of all their influence and consideration. This gradual course, on the other side, will prevent men long under depression from being intoxicated with a large draught of new power, which they always abuse with a licentious insolence. But, wishing, as I do, the change to be gradual and cautious, I would, in my first steps, lean rather to the side of enlargement than restriction.

It is one excellence of our Constitution, that all our rights of provincial election regard rather property than person. It is another, that the rights which approach more nearly to the personal are most of them corporate, and suppose a restrained and strict education of seven years in some useful occupation. In both cases the practice may have slid from the principle. The standard of qualification in both cases may be so low, or not so judiciously chosen, as in some degree to frustrate the end. But all this is for your prudence in the case before you. You may rise a step or two the qualification of the Catholic voters. But if you were to-morrow to put the

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Catholic freeholder on the footing of the most favored forty-shilling Protestant Dissenter, you know, that, such is the actual state of Ireland, this would not make a sensible alteration in almost any *one* election in the kingdom. The effect in their favor, even defensively, would be infinitely slow. But it would be healing; it would be satisfactory and protecting. The stigma would be removed. By admitting settled, permanent substance in lieu of the numbers, you would avoid the great danger of our time, that of setting up number against property. The numbers ought never to be neglected, because (besides what is due to them as men) collectively, though not individually, they have great property: they ought to have, therefore, protection; they ought to have security; they ought to have even consideration: but they ought not to predominate.

My dear Sir, I have nearly done. I meant to write you a long letter: I have written a long dissertation. I might have done it earlier and better. I might have been more forcible and more clear, if I had not been interrupted as I have been; and this obliges me not to write to you in my own hand. Though my hand but signs it, my heart goes with what I have written. Since I could think at all, those have been my thoughts. You know that thirty-two years ago they were as fully matured in my mind as they are now. A letter of mine to Lord Kenmare, though not by my desire, and full of lesser mistakes, has been printed in Dublin. It was written ten or twelve years ago, at the time when I began the employment, which I have not yet finished, in favor of another distressed people, injured by those who have vanquished them, or stolen a dominion over them. It

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contained my sentiments then: you will see how far they accord with my sentiments now. Time has more and more confirmed me in them all. The present circumstances fix them deeper in my mind.

I voted last session, if a particular vote could be distinguished in unanimity, for an establishment of the Church of England *conjointly* with the establishment, which was made some years before by act of Parliament, of the Roman Catholic, in the French conquered country of Canada. At the time of making this English ecclesiastical establishment, we did not think it necessary for its safety to destroy the former Gallican Church settlement. In our first act we settled a government altogether monarchical, or nearly so. In that system, the Canadian Catholics were far from being deprived of the advantages or distinctions, of any kind, which they enjoyed under their former monarchy. It is true that some people, and amongst them one eminent divine, predicted at that time that by this step we should lose our dominions in America. He foretold that the Pope would send his indulgences hither; that the Canadians would fall in with France, would declare independence, and draw or force our colonies into the same design. The independence happened according to his prediction; but in directly the reverse order. All our English Protestant colonies revolted. They joined themselves to France; and it so happened that Popish Canada was the only place which preserved its fidelity, the only place in which France got no footing, the only peopled colony which now remains to Great Britain. Vain are all the prognostics taken from ideas and passions, which survive the state of things which gave rise to them. When last year we gave

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a popular representation to the same Canada by the choice of the landholders, and an aristocratic representation at the choice of the crown, neither was the choice of the crown nor the election of the landholders limited by a consideration of religion. We had no dread for the Protestant Church which we settled there, because we permitted the French Catholics, in the utmost latitude of the description, to be free subjects. They are good subjects, I have no doubt; but I will not allow that any French Canadian Catholics are better men or better citizens than the Irish of the same communion. Passing from the extremity of the West to the extremity almost of the East, I have been many years (now entering into the twelfth) employed in supporting the rights, privileges, laws, and immunities of a very remote people. I have not as yet been able to finish my task. I have struggled through much discouragement and much opposition, much obloquy, much calumny, for a people with whom I have no tie but the common bond of mankind. In this I have not been left alone. We did not fly from our undertaking because the people are Mahometans or Pagans, and that a great majority of the Christians amongst them are Papists. Some gentlemen in Ireland, I dare say, have good reasons for what they may do, which do not occur to me. I do not presume to condemn them; but, thinking and acting as I have done towards these remote nations, I should not know how to show my face, here or in Ireland, if I should say that all the Pagans, all the Mussulmen, and even all the Papists, (since they must form the highest stage in the climax of evil,) are worthy of a liberal and honorable condition, except those of one of the descriptions, which forms

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the majority of the inhabitants of the country in which you and I were born. If such are the Catholics of Ireland, ill-natured and unjust people, from our own data, may be inclined not to think better of the Protestants of a soil which is supposed to infuse into its sects a kind of venom unknown in other places.

You hated the old system as early as I did. Your first juvenile lance was broken against that giant. I think you were even the first who attacked the grim phantom. You have an exceedingly good understanding, very good humor, and the best heart in the world. The dictates of that temper and that heart, as well as the policy pointed out by that understanding, led you to abhor the old code. You abhorred it, as I did, for its vicious perfection. For I must do it justice: it was a complete system, full of coherence and consistency, well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement, in them, of human nature itself, as ever proceeded from the perverted ingenuity of man. It is a thing humiliating enough, that we are doubtful of the effect of the medicines we compound, — we are sure of our poisons. My opinion ever was, (in which I heartily agree with those that admired the old code,) that it was so constructed, that, if there was once a breach in any essential part of it, the ruin of the whole, or nearly of the whole, was, at some time or other, a certainty. For that reason I honor and shall forever honor and love you, and those who first caused it to stagger, crack, and gape. Others may finish; the beginners have the glory;



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and, take what part you please at this hour, (I think you will take the best,) your first services will never be forgotten by a grateful country. Adieu! Present my best regards to those I know, — and as many as I know in our country I honor. There never was so much ability, nor, I believe, virtue in it. They have a task worthy of both. I doubt not they will perform it, for the stability of the Church and State, and for the union and the separation of the people: for the union of the honest and peaceable of all sects; for their separation from all that is ill-intentioned and seditious in any of them.

BEACONSFIELD, January 3, 1792.

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# HINTS FOR A MEMORIAL

TO BE DELIVERED TO

## MONSIEUR DE M. M.

WRITTEN IN THE EARLY PART OF 1791

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## HINTS FOR A MEMORIAL.

THE King, my master, from his sincere desire of keeping up a good correspondence with his Most Christian Majesty and the French nation, has for some time beheld with concern the condition into which that sovereign and nation have fallen.

Notwithstanding the reality and the warmth of those sentiments, his Britannic Majesty has hitherto forborne in any manner to take part in their affairs, in hopes that the common interest of king and subjects would render all parties sensible of the necessity of settling their government and their freedom upon principles of moderation, as the only means of securing permanence to both these blessings, as well as internal and external tranquillity to the kingdom of France, and to all Europe.

His Britannic Majesty finds, to his great regret, that his hopes have not been realized. He finds that confusions and disorders have rather increased than diminished, and that they now threaten to proceed to dangerous extremities.

In this situation of things, the same regard to a neighboring sovereign living in friendship with Great Britain, the same spirit of good-will to the kingdom of France, the same regard to the general tranquillity, which have caused him to view with concern the growth and continuance of the present disorders, have induced the King of Great Britain to interpose

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his good offices towards a reconcilement of those unhappy differences. This his Majesty does with the most cordial regard to the good of all descriptions concerned, and with the most perfect sincerity, wholly removing from his royal mind all memory of every circumstance which might impede him in the execution of a plan of benevolence which he has so much at heart.

His Majesty, having always thought it his greatest glory that he rules over a people perfectly and solidly, because soberly, rationally, and legally free, can never be supposed to proceed in offering thus his royal mediation, but with an unaffected desire and full resolution to consider the settlement of a free constitution in France as the very basis of any agreement between the sovereign and those of his subjects who are unhappily at variance with him, — to guaranty it to them, if it should be desired, in the most solemn and authentic manner, and to do all that in him lies to procure the like guaranty from other powers.

His Britannic Majesty, in the same manner, assures the Most Christian King that he knows too well and values too highly what is due to the dignity and rights of crowned heads, and to the implied faith of treaties which have always been made with the *crown* of France, ever to listen to any proposition by which that monarchy shall be despoiled of all its rights, so essential for the support of the consideration of the prince and the concord and welfare of the people.

If, unfortunately, a due attention should not be paid to these his Majesty's benevolent and neighborly offers, or if any circumstances should prevent the Most Christian King from acceding (as his Majesty

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has no doubt he is well disposed to do) to this healing mediation in favor of himself and all his subjects, his Majesty has commanded me to take leave of this court, as not conceiving it to be suitable to the dignity of his crown, and to what he owes to his faithful people, any longer to keep a public minister at the court of a sovereign who is not in possession of his own liberty.

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# THOUGHTS

ON

# FRENCH AFFAIRS,

ETC., ETC.

WRITTEN IN DECEMBER, 1791.

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# THOUGHTS ON FRENCH AFFAIRS.

IN all our transactions with France, and at all periods, we have treated with that state on the footing of a monarchy. Monarchy was considered in all the external relations of that kingdom with every power in Europe as its legal and constitutional government, and that in which alone its federal capacity was vested.

Montmorin's Letter.

It is not yet a year since Monsieur de Montmorin formally, and with as little respect as can be imagined to the king, and to all crowned heads, announced a total Revolution in that country. He has informed the British ministry that its frame of government is wholly altered, — that he is one of the ministers of the new system, — and, in effect, that the king is no longer his master, (nor does he even call him such,) but the "*first of the ministers*," in the new system.

Acceptance of the Constitution ratified.

The second notification was that of the king's acceptance of the new Constitution, accompanied with fanfaronades in the modern style of the French bureaus: things which have much more the air and character of the saucy declamations of their clubs than the tone of regular office.

It has not been very usual to notify to foreign courts anything concerning the internal arrangements of any state. In the present case, the cir-

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cumstance of these two notifications, with the observations with which they are attended, does not leave it in the choice of the sovereigns of Christendom to appear ignorant either of this French Revolution or (what is more important) of its principles.

We know, that, very soon after this manifesto of Monsieur de Montmorin, the king of France, in whose name it was made, found himself obliged to fly, with his whole family, — leaving behind him a declaration in which he disavows and annuls that Constitution, as having been the effect of force on his person and usurpation on his authority. It is equally notorious, that this unfortunate prince was, with many circumstances of insult and outrage, brought back prisoner by a deputation of the pretended National Assembly, and afterwards suspended by their authority from his government. Under equally notorious constraint, and under menaces of total deposition, he has been compelled to accept what they call a Constitution, and to agree to whatever else the usurped power which holds him in confinement thinks proper to impose.

His next brother, who had fled with him, and his third brother, who had fled before him, all the princes of his blood who remained faithful to him, and the flower of his magistracy, his clergy, and his nobility, continue in foreign countries, protesting against all acts done by him in his present situation, on the grounds upon which he had himself protested against them at the time of his flight, — with this addition, that they deny his very competence (as on good grounds they may) to abrogate the royalty, or the ancient constitutional orders of the kingdom. In this protest they are joined by

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three hundred of the late Assembly itself, and, in effect, by a great part of the French nation. The new government (so far as the people dare to disclose their sentiments) is disdained, I am persuaded, by the greater number, — who, as M. de La Fayette complains, and as the truth is, have declined to take any share in the new elections to the National Assembly, either as candidates or electors.

In this state of things, (that is, in the case of a *divided* kingdom,) by the law of nations,* Great Britain, like every other power, is free to take any part she pleases. She may decline, with more or less formality, according to her discretion, to acknowledge this new system; or she may recognize it as a government *de facto*, setting aside all discussion of its original legality, and considering the ancient monarchy as at an end. The law of nations leaves our court open to its choice. We have no direction but what is found in the well-understood policy of the king and kingdom.

This declaration of a *new species* of government, on new principles, (such it professes itself to be,) is a real crisis in the politics of Europe. The conduct which prudence ought to dictate to Great Britain will not depend (as hitherto our connection or quarrel with other states has for some time depended) upon merely *external* relations, but in a great measure also upon the system which we may think it right to adopt for the internal government of our own country.

If it be our policy to assimilate our government to that of France, we ought to prepare for this change by encouraging the schemes of authority established

* See Vattel, B. II. c. 4, sect. 56, and B. III. c. 18, sect. 296.

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there. We ought to wink at the captivity and deposition of a prince with whom, if not in close alliance, we were in friendship. We ought to fall in with the ideas of Monsieur Montmorin's circular manifesto, and to do business of course with the functionaries who act under the new power by which that king to whom his Majesty's minister has been sent to reside has been deposed and imprisoned. On that idea we ought also to withhold all sorts of direct or indirect countenance from those who are treating in Germany for the reëstablishment of the French monarchy and the ancient orders of that state. This conduct is suitable to this policy.

The question is, whether this policy be suitable to the interests of the crown and subjects of Great Britain. Let us, therefore, a little consider the true nature and probable effects of the Revolution which, in such a very unusual manner, has been twice diplomatically announced to his Majesty.

Difference between this Revolution and others.

There have been many internal revolutions in the government of countries, both as to persons and forms, in which the neighboring states have had little or no concern. Whatever the government might be with respect to those persons and those forms, the stationary interests of the nation concerned have most commonly influenced the new governments in the same manner in which they influenced the old; and the revolution, turning on matter of local grievance or of local accommodation, did not extend beyond its territory.

Nature of the French Revolution.

The present Revolution in France seems to me to be quite of another character and description, and to bear little resemblance or analogy to any of those which have been brought about

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in Europe, upon principles merely political. *It is a Revolution of doctrine and theoretic dogma.* It has a much greater resemblance to those changes which have been made upon religious grounds, in which a spirit of proselytism makes an essential part.

The last revolution of doctrine and theory which has happened in Europe is the Reformation. It is not for my purpose to take any notice here of the merits of that revolution, but to state one only of its effects.

Its effects.

That effect was, *to introduce other interests into all countries than those which arose from their locality and natural circumstances.* The principle of the Reformation was such as, by its essence, could not be local or confined to the country in which it had its origin. For instance, the doctrine of "Justification by Faith or by Works," which was the original basis of the Reformation, could not have one of its alternatives true as to Germany and false as to every other country. Neither are questions of theoretic truth and falsehood governed by circumstances any more than by places. On that occasion, therefore, the spirit of proselytism expanded itself with great elasticity upon all sides: and great divisions were everywhere the result.

These divisions, however in appearance merely dogmatic, soon became mixed with the political; and their effects were rendered much more intense from this combination. Europe was for a long time divided into two great factions, under the name of Catholic and Protestant, which not only often alienated state from state, but also divided almost every state within itself. The warm parties in each state were more affectionately attached to those of their

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own doctrinal interest in some other country than to their fellow-citizens or to their natural government, when they or either of them happened to be of a different persuasion. These factions, wherever they prevailed, if they did not absolutely destroy, at least weakened and distracted the locality of patriotism. The public affections came to have other motives and other ties.

It would be to repeat the history of the two last centuries to exemplify the effects of this revolution.

Although the principles to which it gave rise did not operate with a perfect regularity and constancy, they never wholly ceased to operate. Few wars were made, and few treaties were entered into, in which they did not come in for some part. They gave a color, a character, and direction to all the politics of Europe.

New system of politics.

These principles of internal as well as external division and coalition are but just now extinguished. But they who will examine into the true character and genius of some late events must be satisfied that other sources of faction, combining parties among the inhabitants of different countries into one connection, are opened, and that from these sources are likely to arise effects full as important as those which had formerly arisen from the jarring interests of the religious sects. The intention of the several actors in the change in France is not a matter of doubt. It is very openly professed.

In the modern world, before this time, there has been no instance of this spirit of general political faction, separated from religion, pervading several countries, and forming a principle of union between the partisans in each. But the thing is not less in

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human nature. The ancient world has furnished a strong and striking instance of such a ground for faction, full as powerful and full as mischievous as our spirit of religious system had ever been, exciting in all the states of Greece (European and Asiatic) the most violent animosities and the most cruel and bloody persecutions and proscriptions. These ancient factions in each commonwealth of Greece connected themselves with those of the same description in some other states; and secret cabals and public alliances were carried on and made, not upon a conformity of general political interests, but for the support and aggrandizement of the two leading states which headed the aristocratic and democratic factions. For as, in later times, the king of Spain was at the head of a Catholic, and the king of Sweden of a Protestant interest, (France, though Catholic, acting subordinately to the latter,) in the like manner the Lacedemonians were everywhere at the head of the aristocratic interests, and the Athenians of the democratic. The two leading powers kept alive a constant cabal and conspiracy in every state, and the political dogmas concerning the constitution of a republic were the great instruments by which these leading states chose to aggrandize themselves. Their choice was not unwise; because the interest in opinions, (merely as opinions, and without any experimental reference to their effects,) when once they take strong hold of the mind, become the most operative of all interests, and indeed very often supersede every other.

I might further exemplify the possibility of a political sentiment running through various states, and combining factions in them, from the history of the



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Middle Ages in the Guelfs and Ghibellines. These were political factions originally in favor of the Emperor and the Pope, with no mixture of religious dogmas: or if anything religiously doctrinal they had in them originally, it very soon disappeared; as their first political objects disappeared also, though the spirit remained. They became no more than names to distinguish factions: but they were not the less powerful in their operation, when they had no direct point of doctrine, either religious or civil, to assert. For a long time, however, those factions gave no small degree of influence to the foreign chiefs in every commonwealth in which they existed. I do not mean to pursue further the track of these parties. I allude to this part of history only as it furnishes an instance of that species of faction which broke the locality of public affections, and united descriptions of citizens more with strangers than with their countrymen of different opinions.

French fundamental principle.

The political dogma, which, upon the new French system, is to unite the factions of different nations, is this: "That the majority, told by the head, of the taxable people in every country, is the perpetual, natural, unceasing, indefeasible sovereign; that this majority is perfectly master of the form as well as the administration of the state, and that the magistrates, under whatever names they are called, are only functionaries to obey the orders (general as laws or particular as decrees) which that majority may make; that this is the only natural government; that all others are tyranny and usurpation."

Practical project.

In order to reduce this dogma into practice, the republicans in France, and their

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associates in other countries, make it always their business, and often their public profession, to destroy all traces of ancient establishments, and to form a new commonwealth in each country, upon the basis of the French *Rights of Men*. On the principle of these rights, they mean to institute in every country, and as it were the germ of the whole, parochial governments, for the purpose of what they call equal representation. From them is to grow, by some media, a general council and representative of all the parochial governments. In that representative is to be vested the whole national power, — totally abolishing hereditary name and office, levelling all conditions of men, (except where money *must* make a difference,) breaking all connection between territory and dignity, and abolishing every species of nobility, gentry, and Church establishments: all their priests and all their magistrates being only creatures of election and pensioners at will.

Knowing how opposite a permanent landed interest is to that scheme, they have resolved, and it is the great drift of all their regulations, to reduce that description of men to a mere peasantry for the sustenance of the towns, and to place the true effective government in cities, among the tradesmen, bankers, and voluntary clubs of bold, presuming young persons, — advocates, attorneys, notaries, managers of newspapers, and those cabals of literary men called academies. Their republic is to have a first functionary, (as they call him,) under the name of King, or not, as they think fit. This officer, when such an officer is permitted, is, however, neither in fact nor name to be considered as sovereign, nor the people as his subjects. The very use of these appellations is offensive to their ears.

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Partisans of the French system.

This system, as it has first been realized, dogmatically as well as practically, in France, makes France the natural head of all factions formed on a similar principle, wherever they may prevail, as much as Athens was the head and settled ally of all democratic factions, wherever they existed. The other system has no head.

This system has very many partisans in every country in Europe, but particularly in England, where they are already formed into a body, comprehending most of the Dissenters of the three leading denominations. To these are readily aggregated all who are Dissenters in character, temper, and disposition, though not belonging to any of their congregations: that is, all the restless people who resemble them, of all ranks and all parties, — Whigs, and even Tories; the whole race of half-bred speculators; all the Atheists, Deists, and Socinians; all those who hate the clergy and envy the nobility; a good many among the moneyed people; the East Indians almost to a man, who cannot bear to find that their present importance does not bear a proportion to their wealth. These latter have united themselves into one great, and, in my opinion, formidable club,* which, though now quiet, may be brought into action with considerable unanimity and force.

Formerly, few, except the ambitious great or the desperate and indigent, were to be feared as instruments in revolutions. What has happened in France teaches us, with many other things, that there are more causes than have commonly been taken into

* Originally called the Bengal Club; but since opened to persons from the other Presidencies, for the purpose of consolidating the whole Indian interest.

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our consideration, by which government may be subverted. The moneyed men, merchants, principal tradesmen, and men of letters (hitherto generally thought the peaceable and even timid part of society) are the chief actors in the French Revolution. But the fact is, that, as money increases and circulates, and as the circulation of news in politics and letters becomes more and more diffused, the persons who diffuse this money and this intelligence become more and more important. This was not long undiscovered. Views of ambition were in France, for the first time, presented to these classes of men: objects in the state, in the army, in the system of civil offices of every kind. Their eyes were dazzled with this new prospect. They were, as it were, electrified, and made to lose the natural spirit of their situation. A bribe, great without example in the history of the world, was held out to them, — the whole government of a very large kingdom.

Grounds of security supposed for England.

There are several who are persuaded that the same thing cannot happen in England, because here (they say) the occupations of merchants, tradesmen, and manufacturers are not held as degrading situations. I once thought that the low estimation in which commerce was held in France might be reckoned among the causes of the late Revolution; and I am still of opinion that the exclusive spirit of the French nobility did irritate the wealthy of other classes. But I found long since, that persons in trade and business were by no means despised in France in the manner I had been taught to believe. As to men of letters, they were so far from being despised or neglected, that there was no country, perhaps, in the universe,

Literary interest.

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in which they were so highly esteemed, courted, caressed, and even feared: tradesmen naturally were not so much sought in society, (as not furnishing so largely to the fund of conversation as they do to the revenues of the state,) but the latter description got forward every day. M. Bailly, who made himself the popular mayor on the rebellion of the Bastile, and is a principal actor in the revolt, before the change possessed a pension or office under the crown of six hundred pound English a year, — for that country, no contemptible provision; and this he obtained solely as a man of letters, and on no other title. As to the moneyed men, whilst the monarchy continued, there is no doubt, that, merely as such, they did not enjoy the *privileges* of nobility; but nobility was of so easy an acquisition, that it was the fault or neglect of all of that description who did not obtain its privileges, for their lives at least, in virtue of office. It attached under the royal government to an innumerable multitude of places, real and nominal, that were vendible; and such nobility were as capable of everything as their degree of influence or interest could make them, — that is, as nobility of no considerable rank or consequence. M. Necker, so far from being a French gentleman, was not so much as a Frenchman born, and yet we all know the rank in which he stood on the day of the meeting of the States.

Moneyed interest.

As to the mere matter of estimation of the mercantile or any other class, this is regulated by opinion and prejudice. In England, a security against the envy of men in these classes is not so very complete as we may imagine. We must not impose upon ourselves. What institutions and

Mercantile interest.

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manners together had done in France manners alone do here. It is the natural operation of things, where there exists a crown, a court, splendid orders of knighthood, and an hereditary nobility, — where there exists a fixed, permanent, landed gentry, continued in greatness and opulence by the law of primogeniture, and by a protection given to family settlements, — where there exists a standing army and navy, — where there exists a Church establishment, which bestows on learning and parts an interest combined with that of religion and the state; — in a country where such things exist, wealth, new in its acquisition, and precarious in its duration, can never rank first, or even near the first: though wealth has its natural weight further than as it is balanced and even preponderated amongst us, as amongst other nations, by artificial institutions and opinions growing out of them. At no period in the history of England have so few peers been taken out of trade or from families newly created by commerce. In no period has so small a number of noble families entered into the counting-house. I can call to mind but one in all England, and his is of near fifty years' standing. Be that as it may, it appears plain to me, from my best observation, that envy and ambition may, by art, management, and disposition, be as much excited amongst these descriptions of men in England as in any other country, and that they are just as capable of acting a part in any great change.

Progress of the French spirit. — Its course.

What direction the French spirit of proselytism is likely to take, and in what order it is likely to prevail in the several parts of Europe, it is not easy to determine. The seeds are sown almost everywhere, chiefly by newspaper circu-

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lations, infinitely more efficacious and extensive than ever they were. And they are a more important instrument than generally is imagined. They are a part of the reading of all; they are the whole of the reading of the far greater number. There are thirty of them in Paris alone. The language diffuses them more widely than the English, — though the English, too, are much read. The writers of these papers, indeed, for the greater part, are either unknown or in contempt, but they are like a battery, in which the stroke of any one ball produces no great effect, but the amount of continual repetition is decisive. Let us only suffer any person to tell us his story, morning and evening, but for one twelvemonth, and he will become our master.

All those countries in which several states are comprehended under some general geographical description, and loosely united by some federal constitution, — countries of which the members are small, and greatly diversified in their forms of government, and in the titles by which they are held, — these countries, as it might be well expected, are the principal objects of their hopes and machinations. Of these, the chief are Germany and Switzerland; after them, Italy has its place, as in circumstances somewhat similar.

Germany.

As to Germany, (in which, from their relation to the Emperor, I comprehend the Belgic Provinces,) it appears to me to be, from several circumstances, internal and external, in a very critical situation; and the laws and liberties of the Empire are by no means secure from the contagion of the French doctrines and the effect of French intrigues, or from the use which two of the greater

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German powers may make of a general derangement to the general detriment. I do not say that the French do not mean to bestow on these German states liberties, and laws too, after their mode; but those are not what have hitherto been understood as the laws and liberties of the Empire. These exist and have always existed under the principles of feodal tenure and succession, under imperial constitutions, grants and concessions of sovereigns, family compacts, and public treaties, made under the sanction, and some of them guarantied by the sovereign powers of other nations, and particularly the old government of France, the author and natural support of the Treaty of Westphalia.

In short, the Germanic body is a vast mass of heterogeneous states, held together by that heterogeneous body of old principles which formed the public law positive and doctrinal. The modern laws and liberties, which the new power in France proposes to introduce into Germany, and to support with all its force of intrigue and of arms, is of a very different nature, utterly irreconcilable with the first, and indeed fundamentally the reverse of it: I mean the *rights and liberties of the man*, the *droit de l'homme*. That this doctrine has made an amazing progress in Germany there cannot be a shadow of doubt. They are infected by it along the whole course of the Rhine, the Maese, the Moselle, and in the greater part of Suabia and Franconia. It is particularly prevalent amongst all the lower people, churchmen and laity, in the dominions of the Ecclesiastical Electors. It is not easy to find or to conceive governments more mild and indulgent than these Church sovereignties; but good government

Ecclesiastical state.

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is as nothing, when the rights of man take possession of the mind. Indeed, the loose rein held over the people in these provinces must be considered as one cause of the facility with which they lend themselves to any schemes of innovation, by inducing them to think lightly of their governments, and to judge of grievances, not by feeling, but by imagination.

Balance of Germany.

It is in these Electorates that the first impressions of France are likely to be made; and if they succeed, it is over with the Germanic body, as it stands at present. A great revolution is preparing in Germany, and a revolution, in my opinion, likely to be more decisive upon the general fate of nations than that of France itself, — other than as in France is to be found the first source of all the principles which are in any way likely to distinguish the troubles and convulsions of our age. If Europe does not conceive the independence and the equilibrium of the Empire to be in the very essence of the system of balanced power in Europe, and if the scheme of public law, or mass of laws, upon which that independence and equilibrium are founded, be of no leading consequence as they are preserved or destroyed, all the politics of Europe for more than two centuries have been miserably erroneous.

Prussia and Emperor.

If the two great leading powers of Germany do not regard this danger (as apparently they do not) in the light in which it presents itself so naturally, it is because they are powers too great to have a social interest. That sort of interest belongs only to those whose state of weakness or mediocrity is such as to give them greater cause of apprehension from what may destroy them than of

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hope from anything by which they may be aggrandized.

As long as those two princes are at variance, so long the liberties of Germany are safe. But if ever they should so far understand one another as to be persuaded that they have a more direct and more certainly defined interest in a proportioned mutual aggrandizement than in a reciprocal reduction, that is, if they come to think that they are more likely to be enriched by a division of spoil than to be rendered secure by keeping to the old policy of preventing others from being spoiled by either of them, from that moment the liberties of Germany are no more.

That a junction of two in such a scheme is neither impossible nor improbable is evident from the partition of Poland in 1773, which was effected by such a junction as made the interposition of other nations to prevent it not easy. Their circumstances at that time hindered any other three states, or indeed any two, from taking measures in common to prevent it, though France was at that time an existing power, and had not yet learned to act upon a system of politics of her own invention. The geographical position of Poland was a great obstacle to any movements of France in opposition to this, at that time, unparalleled league. To my certain knowledge, if Great Britain had at that time been willing to concur in preventing the execution of a project so dangerous in the example, even exhausted as France then was by the preceding war, and under a lazy and unenterprising prince, she would have at every risk taken an active part in this business. But a languor with regard to so remote an interest, and the principles and passions which were then strongly at work at

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home, were the causes why Great Britain would not give France any encouragement in such an enterprise. At that time, however, and with regard to that object, in my opinion, Great Britain and France had a common interest.

Possible project of the Emperor and king of Prussia.

But the position of Germany is not like that of Poland, with regard to France, either for good or for evil. If a conjunction between Prussia and the Emperor should be formed for the purpose of secularizing and rendering hereditary the Ecclesiastical Electorates and the Bishopric of Münster, for settling two of them on the children of the Emperor, and uniting Cologne and Münster to the dominions of the king of Prussia on the Rhine, or if any other project of mutual aggrandizement should be in prospect, and that, to facilitate such a scheme, the modern French should be permitted and encouraged to shake the internal and external security of these Ecclesiastical Electorates, Great Britain is so situated that she could not with any effect set herself in opposition to such a design. Her principal arm, her marine, could here be of no sort of use.

To be resisted only by France.

France, the author of the Treaty of Westphalia, is the natural guardian of the independence and balance of Germany. Great Britain (to say nothing of the king's concern as one of that august body) has a serious interest in preserving it; but, except through the power of France, *acting upon the common old principles of state policy*, in the case we have supposed, she has no sort of means of supporting that interest. It is always the interest of Great Britain that the power of France should be kept within the bounds of moderation. It is not her interest that that power should be wholly annihilated in the

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system of Europe. Though at one time through France the independence of Europe was endangered, it is, and ever was, through her alone that the common liberty of Germany can be secured against the single or the combined ambition of any other power. In truth, within this century the aggrandizement of other sovereign houses has been such that there has been a great change in the whole state of Europe; and other nations as well as France may become objects of jealousy and apprehension.

New principles of alliance.

In this state of things, a new principle of alliances and wars is opened. The Treaty of Westphalia is, with France, an antiquated fable. The rights and liberties she was bound to maintain are now a system of wrong and tyranny which she is bound to destroy. Her good and ill dispositions are shown by the same means. *To communicate peaceably* the rights of men is the true mode of her showing her *friendship;* to force sovereigns to *submit* to those rights is her mode of *hostility*. So that, either as friend or foe, her whole scheme has been, and is, to throw the Empire into confusion; and those statesmen who follow the old routine of politics may see in this general confusion, and in the danger of the *lesser* princes, an occasion, as protectors or enemies, of connecting their territories to one or the other of the *two great* German powers. They do not take into consideration that the means which they encourage, as leading to the event they desire, will with certainty not only ravage and destroy the Empire, but, if they should for a moment seem to aggrandize the two great houses, will also establish principles and confirm tempers amongst the people which will preclude the two sovereigns from the possibility of holding

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what they acquire, or even the dominions which they have inherited. It is on the side of the Ecclesiastical Electorates that the dikes raised to support the German liberty first will give way.

The French have begun their general operations by seizing upon those territories of the Pope the situation of which was the most inviting to the enterprise. Their method of doing it was by exciting sedition and spreading massacre and desolation through these unfortunate places, and then, under an idea of kindness and protection, bringing forward an antiquated title of the crown of France, and annexing Avignon and the two cities of the Comtat, with their territory, to the French republic. They have made an attempt on Geneva, in which they very narrowly failed of success. It is known that they hold out from time to time the idea of uniting all the other provinces of which Gaul was anciently composed, including Savoy on the other side, and on this side bounding themselves by the Rhine.

Geneva.

Savoy.

As to Switzerland, it is a country whose long union, rather than its possible division, is the matter of wonder. Here I know they entertain very sanguine hopes. The aggregation to France of the democratic Swiss republics appears to them to be a work half done by their very form; and it might seem to them rather an increase of importance to these little commonwealths than a derogation from their independency or a change in the manner of their government. Upon any quarrel amongst the Cantons, nothing is more likely than such an event. As to the aristocratic republics, the general clamor and hatred which the French excite against the very

Switzerland.

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name, (and with more facility and success than against monarchs,) and the utter impossibility of their government making any sort of resistance against an insurrection, where they have no troops, and the people are all armed and trained, render their hopes in that quarter far indeed from unfounded. It is certain that the republic of Bern thinks itself obliged to a vigilance next to hostile, and to imprison or expel all the French whom it finds in its territories. But, indeed, those aristocracies, which comprehend whatever is considerable, wealthy, and valuable in Switzerland, do now so wholly depend upon opinion, and the humor of their multitude, that the lightest puff of wind is sufficient to blow them down. If France, under its ancient regimen, and upon the ancient principles of policy, was the support of the Germanic Constitution, it was much more so of that of Switzerland, which almost from the very origin of that confederacy rested upon the closeness of its connection with France, on which the Swiss Cantons wholly reposed themselves for the preservation of the parts of their body in their respective rights and permanent forms, as well as for the maintenance of all in their general independency.

Old French maxims the security of its independence.

Switzerland and Germany are the first objects of the new French politicians. When I contemplate what they have done at home, which is, in effect, little less than an amazing conquest, wrought by a change of opinion, in a great part (to be sure far from altogether) very sudden, I cannot help letting my thoughts run along with their designs, and, without attending to geographical order, to consider the other states of Europe, so far as they may be any way

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affected by this astonishing Revolution. If early steps are not taken in some way or other to prevent the spreading of this influence, I scarcely think any of them perfectly secure.

Italy. Italy is divided, as Germany and Switzerland are, into many smaller states, and with some considerable diversity as to forms of government; but as these divisions and varieties in Italy are not so considerable, so neither do I think the danger altogether so imminent there as in Germany and Switzerland. Savoy I know that the French consider as in a very hopeful way, and I believe not at all without reason. They view it as an old member of the kingdom of France, which may be easily reunited in the manner and on the principles of the reunion of Avignon. This country communicates with Piedmont; and as the king of Sardinia's dominions were long the key of Italy, and as such long regarded by France, whilst France acted on her old maxims, and with views on Italy, — so, in this new French empire of sedition, if once she gets that key into her hands, she can easily lay open the barrier which hinders the entrance of her present politics into that inviting region. Milan, I am sure, nourishes great disquiets; and if Milan should stir, no part

Lombardy. of Lombardy is secure to the present possessors, — whether the Venetian or the Austrian. Genoa is closely connected with France.

Bourbon princes in Italy. The first prince of the House of Bourbon has been obliged to give himself up entirely to the new system, and to pretend even to propagate it with all zeal: at least, that club of intriguers who assemble at the Feuillants, and whose cabinet meets at Madame de Staël's, and makes and directs all the

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ministers, is the real executive government of France. The Emperor is perfectly in concert, and they will not long suffer any prince of the House of Bourbon to keep by force the French emissaries out of their dominions; nor whilst France has a commerce with them, especially through Marseilles, (the hottest focus of sedition in France,) will it be long possible to prevent the intercourse or the effects.

Naples has an old, inveterate disposition to republicanism, and (however for some time past quiet) is as liable to explosion as its own Vesuvius. Sicily, I think, has these dispositions in full as strong a degree. In neither of these countries exists anything which very well deserves the name of government or exact police.

Ecclesiastical State.

In the States of the Church, notwithstanding their strictness in banishing the French out of that country, there are not wanting the seeds of a revolution. The spirit of nepotism prevails there nearly as strong as ever. Every Pope of course is to give origin or restoration to a great family by the means of large donations. The foreign revenues have long been gradually on the decline, and seem now in a manner dried up. To supply this defect, the resource of vexatious and impolitic jobbing at home, if anything, is rather increased than lessened. Various well-intended, but ill-understood practices, some of them existing, in their spirit at least, from the time of the old Roman Empire, still prevail; and that government is as blindly attached to old abusive customs as others are wildly disposed to all sorts of innovations and experiments. These abuses were less felt whilst the Pontificate drew riches from abroad, which in some measure counterbalanced the evils of



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their remiss and jobbish government at home. But now it can subsist only on the resources of domestic management; and abuses in that management of course will be more intimately and more severely felt.

In the midst of the apparently torpid languor of the Ecclesiastical State, those who have had opportunity of a near observation have seen a little rippling in that smooth water, which indicates something alive under it. There is in the Ecclesiastical State a personage who seems capable of acting (but with more force and steadiness) the part of the tribune Rienzi. The people, once inflamed, will not be destitute of a leader. They have such an one already in the Cardinal or Archbishop Boncompagni. He is, of all men, if I am not ill-informed, the most turbulent, seditious, intriguing, bold, and desperate. He is not at all made for a Roman of the present day. I think he lately held the first office of their state, that of Great Chamberlain, which is equivalent to High Treasurer. At present he is out of employment, and in disgrace. If he should be elected Pope, or even come to have any weight with a new Pope, he will infallibly conjure up a democratic spirit in that country. He may, indeed, be able to effect it without these advantages. The next interregnum will probably show more of him. There may be others of the same character, who have not come to my knowledge. This much is certain, — that the Roman people, if once the blind reverence they bear to the sanctity of the Pope, which is their only bridle, should relax, are naturally turbulent, ferocious, and headlong, whilst the police is defective, and the government feeble and resourceless beyond all imagination.

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Spain.

As to Spain, it is a nerveless country. It does not possess the use, it only suffers the abuse, of a nobility. For some time, and even before the settlement of the Bourbon dynasty, that body has been systematically lowered, and rendered incapable by exclusion, and for incapacity excluded from affairs. In this circle the body is in a manner annihilated; and so little means have they of any weighty exertion either to control or to support the crown, that, if they at all interfere, it is only by abetting desperate and mobbish insurrections, like that at Madrid, which drove Squillace from his place. Florida Blanca is a creature of office, and has little connection and no sympathy with that body.

As to the clergy, they are the only thing in Spain that looks like an independent order; and they are kept in some respect by the Inquisition, the sole, but unhappy resource of public tranquillity and order now remaining in Spain. As in Venice, it is become mostly an engine of state, — which, indeed, to a degree, it has always been in Spain. It wars no longer with Jews and heretics: it has no such war to carry on. Its great object is, to keep atheistic and republican doctrines from making their way in that kingdom. No French book upon any subject can enter there which does not contain such matter. In Spain, the clergy are of moment from their influence, but at the same time with the envy and jealousy that attend great riches and power. Though the crown has by management with the Pope got a very great share of the ecclesiastical revenues into its own hands, much still remains to them. There will always be about that court those who look out to a farther division of the Church property as a resource, and to be ob-

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tained by shorter methods than those of negotiations with the clergy and their chief. But at present I think it likely that they will stop, lest the business should be taken out of their hands, — and lest that body, in which remains the only life that exists in Spain, and is not a fever, may with their property lose all the influence necessary to preserve the monarchy, or, being poor and desperate, may employ whatever influence remains to them as active agents in its destruction.

Castile different from Catalonia and Aragon.

The Castilians have still remaining a good deal of their old character, their *gravedad*, *lealtad*, and *el temor de Dios ;* but that character neither is, nor ever was, exactly true, except of the Castilians only. The several kingdoms which compose Spain have, perhaps, some features which run through the whole; but they are in many particulars as different as nations who go by different names: the Catalans, for instance, and the Aragonians too, in a great measure, have the spirit of the Miquelets, and much more of republicanism than of an attachment to royalty. They are more in the way of trade and intercourse with France, and, upon the least internal movement, will disclose and probably let loose a spirit that may throw the whole Spanish monarchy into convulsions.

It is a melancholy reflection, that the spirit of melioration which has been going on in that part of Europe, more or less, during this century, and the various schemes very lately on foot for further advancement, are all put a stop to at once. Reformation certainly is nearly connected with innovation; and where that latter comes in for too large a share, those who undertake to improve their country may

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risk their own safety. In times where the correction, which includes the confession, of an abuse, is turned to criminate the authority which has long suffered it, rather than to honor those who would amend it, (which is the spirit of this malignant French distemper,) every step out of the common course becomes critical, and renders it a task full of peril for princes of moderate talents to engage in great undertakings. At present the only safety of Spain is the old national hatred to the French. How far that can be depended upon, if any great ferments should be excited, it is impossible to say.

As to Portugal, she is out of the high-road of these politics. I shall, therefore, not divert my thoughts that way, but return again to the North of Europe, which at present seems the part most interested, and there it appears to me that the French speculation on the Northern countries may be valued in the following or some such manner.

Denmark.

Denmark and Norway do not appear to furnish any of the materials of a democratic revolution, or the dispositions to it. Denmark can only be *consequentially* affected by anything done in France; but of Sweden I think quite otherwise. The present power in Sweden is too new a system, and too green and too sore from its late Revolution, to be considered as perfectly assured. The king, by his astonishing activity, his boldness, his decision, his ready versatility, and by rousing and employing the old military spirit of Sweden, keeps up the top with continual agitation and lashing. The moment it ceases to spin, the royalty is a dead bit of box. Whenever Sweden is quiet externally for some time, there is great dan-

Sweden.

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ger that all the republican elements she contains will be animated by the new French spirit, and of this I believe the king is very sensible.

Russia. The Russian government is of all others the most liable to be subverted by military seditions, by court conspiracies, and sometimes by headlong rebellions of the people, such as the turbinating movement of Pugatchef. It is not quite so probable that in any of these changes the spirit of system may mingle, in the manner it has done in France. The Muscovites are no great speculators; but I should not much rely on their uninquisitive disposition, if any of their ordinary motives to sedition should arise. The little catechism of the Rights of Men is soon learned; and the inferences are in the passions.

Poland. Poland, from one cause or other, is always unquiet. The new Constitution only serves to supply that restless people with new means, at least new modes, of cherishing their turbulent disposition. The bottom of the character is the same. It is a great question, whether the joining that crown with the Electorate of Saxony will contribute most to strengthen the royal authority of Poland or to shake the ducal in Saxony. The Elector is a Catholic; the people of Saxony are, six sevenths at the very least, Protestants. He *must* continue a Catholic, according to the Polish law, if he accepts that crown. The pride of the Saxons, formerly flattered by having a crown in the house of their prince, though an honor which cost them dear, — the German probity, fidelity, and loyalty, — the weight of the Constitution of the Empire under the Treaty of Westphalia, — the good temper and

Saxony.

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good-nature of the princes of the House of Saxony, had formerly removed from the people all apprehension with regard to their religion, and kept them perfectly quiet, obedient, and even affectionate. The Seven Years' War made some change in the minds of the Saxons. They did not, I believe, regret the loss of what might be considered almost as the succession to the crown of Poland, the possession of which, by annexing them to a foreign interest, had often obliged them to act an arduous part, towards the support of which that foreign interest afforded no proportionable strength. In this very delicate situation of their political interests, the speculations of the French and German *Economists*, and the cabals, and the secret, as well as public doctrines of the *Illuminatenorden* and *Freemasons*, have made a considerable progress in that country; and a turbulent spirit, under color of religion, but in reality arising from the French rights of man, has already shown itself, and is ready on every occasion to blaze out.

The present Elector is a prince of a safe and quiet temper, of great prudence and goodness. He knows, that, in the actual state of things, not the power and respect belonging to sovereigns, but their very existence, depends on a reasonable frugality. It is very certain that not one sovereign in Europe can either promise for the continuance of his authority in a state of indigence and insolvency, or dares to venture on a new imposition to relieve himself. Without abandoning wholly the ancient magnificence of his court, the Elector has conducted his affairs with infinitely more economy than any of his predecessors, so as to restore his finances beyond what was thought possible from the state in which the Seven

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Years' War had left Saxony. Saxony, during the whole of that dreadful period, having been in the hands of an exasperated enemy, rigorous by resentment, by nature, and by necessity, was obliged to bear in a manner the whole burden of the war; in the intervals when their allies prevailed, the inhabitants of that country were not better treated.

The moderation and prudence of the present Elector, in my opinion, rather, perhaps, respites the troubles than secures the peace of the Electorate. The offer of the succession to the crown of Poland is truly critical, whether he accepts or whether he declines it. If the States will consent to his acceptance, it will add to the difficulties, already great, of his situation between the king of Prussia and the Emperor. — But these thoughts lead me too far, when I mean to speak only of the interior condition of these princes. It has always, however, some necessary connection with their foreign politics.

Holland. With regard to Holland, and the ruling party there, I do not think it at all tainted, or likely to be so, except by fear, — or that it is likely to be misled, unless indirectly and circuitously. But the predominant party in Holland is not Holland. The suppressed faction, though suppressed, exists. Under the ashes, the embers of the late commotions are still warm. The anti-Orange party has from the day of its origin been French, though alienated in some degree for some time, through the pride and folly of Louis the Fourteenth. It will ever hanker after a French connection; and now that the internal government in France has been assimilated in so considerable a degree to that which the immoderate republicans began so very lately to introduce into

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Holland, their connection, as still more natural, will be more desired. I do not well understand the present exterior politics of the Stadtholder, nor the treaty into which the newspapers say he has entered for the States with the Emperor. But the Emperor's own politics with regard to the Netherlands seem to me to be exactly calculated to answer the purpose of the French Revolutionists. He endeavors to crush the aristocratic party, and to nourish one in avowed connection with the most furious democratists in France.

These Provinces in which the French game is so well played they consider as part of the old French Empire: certainly they were amongst the oldest parts of it. These they think very well situated, as their party is well disposed to a reunion. As to the greater nations, they do not aim at making a direct conquest of them, but, by disturbing them through a propagation of their principles, they hope to weaken, as they will weaken them, and to keep them in perpetual alarm and agitation, and thus render all their efforts against them utterly impracticable, whilst they extend the dominion of their sovereign anarchy on all sides.

England. As to England, there may be some apprehension from vicinity, from constant communication, and from the very name of liberty, which, as it ought to be very dear to us, in its worst abuses carries something seductive. It is the abuse of the first and best of the objects which we cherish. I know that many, who sufficiently dislike the system of France, have yet no apprehensions of its prevalence here. I say nothing to the ground of this security in the attachment of the people to their Constitution,

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and their satisfaction in the discreet portion of liberty which it measures out to them. Upon this I have said all I have to say, in the Appeal I have published. That security is something, and not inconsiderable; but if a storm arises, I should not much rely upon it.

Objection to the stability of the French system.

There are other views of things which may be used to give us a perfect (though in my opinion a delusive) assurance of our own security. The first of these is from the weakness and rickety nature of the new system in the place of its first formation. It is thought that the monster of a commonwealth cannot possibly live, — that at any rate the ill contrivance of their fabric will make it fall in pieces of itself, — that the Assembly must be bankrupt, — and that this bankruptcy will totally destroy that system from the contagion of which apprehensions are entertained.

For my part I have long thought that one great cause of the stability of this wretched scheme of things in France was an opinion that it could not stand, and therefore that all external measures to destroy it were wholly useless.

Bankruptcy.

As to the bankruptcy, that event has happened long ago, as much as it is ever likely to happen. As soon as a nation compels a creditor to take paper currency in discharge of his debt, there is a bankruptcy. The compulsory paper has in some degree answered, — not because there was a surplus from Church lands, but because faith has not been kept with the clergy. As to the holders of the old funds, to them the payments will be dilatory, but they will be made; and whatever may be the discount on paper, whilst paper is taken, paper will be issued.

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Resources.

As to the rest, they have shot out three branches of revenue to supply all those which they have destroyed: that is, *the Universal Register of all Transactions*, the heavy and universal *Stamp Duty*, and the new *Territorial Impost*, levied chiefly on the reduced estates of the gentlemen. These branches of the revenue, especially as they take assignats in payment, answer their purpose in a considerable degree, and keep up the credit of their paper: for, as they receive it in their treasury, it is in reality funded upon all their taxes and future resources of all kinds, as well as upon the Church estates. As this paper is become in a manner the only visible maintenance of the whole people, the dread of a bankruptcy is more apparently connected with the delay of a counter-revolution than with the duration of this republic; because the interest of the new republic manifestly leans upon it, and, in my opinion, the counter-revolution cannot exist along with it. The above three projects ruined some ministers under the old government, merely for having conceived them. They are the salvation of the present rulers.

As the Assembly has laid a most unsparing and cruel hand on all men who have lived by the bounty, the justice, or the abuses of the old government, they have lessened many expenses. The royal establishment, though excessively and ridiculously great for *their* scheme of things, is reduced at least one half; the estates of the king's brothers, which under the ancient government had been in truth royal revenues, go to the general stock of the confiscation; and as to the crown lands, though under the monarchy they never yielded two hundred and fifty

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thousand a year, by many they are thought at least worth three times as much.

As to the ecclesiastical charge, whether as a compensation for losses, or a provision for religion, of which they made at first a great parade, and entered into a solemn engagement in favor of it, it was estimated at a much larger sum than they could expect from the Church property, movable or immovable: they are completely bankrupt as to that article. It is just what they wish; and it is not productive of any serious inconvenience. The non-payment produces discontent and occasional sedition; but is only by fits and spasms, and amongst the country people, who are of no consequence. These seditions furnish new pretexts for non-payment to the Church establishment, and help the Assembly wholly to get rid of the clergy, and indeed of any form of religion, which is not only their real, but avowed object.

Want of money how supplied.

They are embarrassed, indeed, in the highest degree, but not wholly resourceless. They are without the species of money. Circulation of money is a great convenience, but a substitute for it may be found. Whilst the great objects of production and consumption, corn, cattle, wine, and the like, exist in a country, the means of giving them circulation, with more or less convenience, cannot be *wholly* wanting. The great confiscation of the Church and of the crown lands, and of the appanages of the princes, for the purchase of all which their paper is always received at par, gives means of continually destroying and continually creating; and this perpetual destruction and renovation feeds the speculative market, and prevents, and will prevent,

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till that fund of confiscation begins to fail, a *total* depreciation.

Moneyed interest not necessary to them.

But all consideration of public credit in France is of little avail at present. The action, indeed, of the moneyed interest was of absolute necessity at the beginning of this Revolution; but the French republic can stand without any assistance from that description of men, which, as things are now circumstanced, rather stands in need of assistance itself from the power which alone substantially exists in France: I mean the several districts and municipal republics, and the several clubs which direct all their affairs and appoint all their magistrates. This is the power now paramount to everything, even to the Assembly itself called National and that to which tribunals, priesthood, laws, finances, and both descriptions of military power are wholly subservient, so far as the military power of either description yields obedience to any name of authority.

The world of contingency and political combination is much larger than we are apt to imagine. We never can say what may or may not happen, without a view to all the actual circumstances. Experience, upon other data than those, is of all things the most delusive. Prudence in new cases can do nothing on grounds of retrospect. A constant vigilance and attention to the train of things as they successively emerge, and to act on what they direct, are the only sure courses. The physician that let blood, and by blood-letting cured one kind of plague, in the next added to its ravages. That power goes with property is not universally true, and the idea that the operation of it is certain and invariable may mislead us very fatally.

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Power separated from property.

Whoever will take an accurate view of the state of those republics, and of the composition of the present Assembly deputed by them, (in which Assembly there are not quite fifty persons possessed of an income amounting to 100*l.* sterling yearly,) must discern clearly, *that the political and civil power of France is wholly separated from its property of every description*, and of course that neither the landed nor the moneyed interest possesses the smallest weight or consideration in the direction of any public concern. The whole kingdom is directed by *the refuse of its chicane*, with the aid of the bustling, presumptuous young clerks of counting-houses and shops, and some intermixture of young gentlemen of the same character in the several towns. The rich peasants are bribed with Church lands; and the poorer of that description are, and can be, counted for nothing. They may rise in ferocious, ill-directed tumults, — but they can only disgrace themselves and signalize the triumph of their adversaries.

Effect of the rota.

The *truly* active citizens, that is, the above descriptions, are all concerned in intrigue respecting the various objects in their local or their general government. The rota, which the French have established for their National Assembly, holds out the highest objects of ambition to such vast multitudes as in an unexampled measure to widen the bottom of a new species of interest merely political, and wholly unconnected with birth or property. This scheme of a rota, though it enfeebles the state, considered as one solid body, and indeed wholly disables it from acting as such, gives a great, an equal, and a diffusive strength to the democratic scheme. Seven hundred and fifty peo-

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ple, every two years raised to the supreme power, has already produced at least fifteen hundred bold, acting politicians: a great number for even so great a country as France. These men never will quietly settle in ordinary occupations, nor submit to any scheme which must reduce them to an entirely private condition, or to the exercise of a steady, peaceful, but obscure and unimportant industry. Whilst they sit in the Assembly, they are denied offices of trust and profit, — but their short duration makes this no restraint: during their probation and apprenticeship they are all salaried with an income to the greatest part of them immense; and after they have passed the novitiate, those who take any sort of lead are placed in very lucrative offices, according to their influence and credit, or appoint those who divide their profits with them.

This supply of recruits to the corps of the highest civil ambition goes on with a regular progression. In very few years it must amount to many thousands. These, however, will be as nothing in comparison to the multitude of municipal officers, and officers of district and department, of all sorts, who have tasted of power and profit, and who hunger for the periodical return of the meal. To these needy agitators, the glory of the state, the general wealth and prosperity of the nation, and the rise or fall of public credit are as dreams; nor have arguments deduced from these topics any sort of weight with them. The indifference with which the Assembly regards the state of their colonies, the only valuable part of the French commerce, is a full proof how little they are likely to be affected by anything but the selfish game of their own ambition, now universally diffused.

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Impracticability of resistance.

It is true, amidst all these turbulent means of security to their system, very great discontents everywhere prevail. But they only produce misery to those who nurse them at home, or exile, beggary, and in the end confiscation, to those who are so impatient as to remove from them. Each municipal republic has a *Committee*, or something in the nature of a *Committee of Research*. In these petty republics the tyranny is so near its object that it becomes instantly acquainted with every act of every man. It stifles conspiracy in its very first movements. Their power is absolute and uncontrollable. No stand can be made against it. These republics are besides so disconnected, that very little intelligence of what happens in them is to be obtained beyond their own bounds, except by the means of their clubs, who keep up a constant correspondence, and who give what color they please to such facts as they choose to communicate out of the track of their correspondence. They all have some sort of communication, just as much or as little as they please, with the centre. By this confinement of all communication to the ruling faction, any combination, grounded on the abuses and discontents in one, scarcely can reach the other. There is not one man, in any one place, to head them. The old government had so much abstracted the nobility from the cultivation of provincial interest, that no man in France exists, whose power, credit, or consequence extends to two districts, or who is capable of uniting them in any design, even if any man could assemble ten men together without being sure of a speedy lodging in a prison. One must not judge of the state of France by what has been observed elsewhere. It

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does not in the least resemble any other country. Analogical reasoning from history or from recent experience in other places is wholly delusive.

In my opinion, there never was seen so strong a government internally as that of the French municipalities. If ever any rebellion can arise against the present system, it must begin, where the Revolution which gave birth to it did, at the capital. Paris is the only place in which there is the least freedom of intercourse. But even there, so many servants as any man has, so many spies and irreconcilable domestic enemies.

Gentlemen are fugitives.

But that place being the chief seat of the power and intelligence of the ruling faction, and the place of occasional resort for their fiercest spirits, even there a revolution is not likely to have anything to feed it. The leaders of the aristocratic party have been drawn out of the kingdom by order of the princes, on the hopes held out by the Emperor and the king of Prussia at Pilnitz; and as to the democratic factions in Paris, amongst them there are no leaders possessed of an influence for any other purpose but that of maintaining the present state of things. The moment they are seen to warp, they are reduced to nothing. They have no attached army, — no party that is at all personal.

It is not to be imagined, because a political system is, under certain aspects, very unwise in its contrivance, and very mischievous in its effects, that it therefore can have no long duration. Its very defects may tend to its stability, because they are agreeable to its nature. The very faults in the Constitution of Poland made it last; the *veto* which destroyed all its energy preserved its life. What can be conceived so



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monstrous as the republic of Algiers, and that no less strange republic of the Mamelukes in Egypt? They are of the worst form imaginable, and exercised in the worst manner, yet they have existed as a nuisance on the earth for several hundred years.

Conclusions.

From all these considerations, and many more that crowd upon me, three conclusions have long since arisen in my mind.

First, that no counter revolution is to be expected in France from internal causes solely.

Secondly, that, the longer the present system exists, the greater will be its strength, the greater its power to destroy discontents at home, and to resist all foreign attempts in favor of these discontents.

Thirdly, that, as long as it exists in France, it will be the interest of the managers there, and it is in the very essence of their plan, to disturb and distract all other governments, and their endless succession of restless politicians will continually stimulate them to new attempts.

Proceedings of princes: defensive plans.

Princes are generally sensible that this is their common cause; and two of them have made a public declaration of their opinion to this effect. Against this common danger, some of them, such as the king of Spain, the king of Sardinia, and the republic of Bern, are very diligent in using defensive measures.

If they were to guard against an invasion from France, the merits of this plan of a merely defensive resistance might be supported by plausible topics; but as the attack does not operate against these countries externally, but by an internal corruption, (a sort of dry rot,) they who pursue this merely defensive plan against a danger which the plan itself suppose:

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to be serious cannot possibly escape it. For it is in the nature of all defensive measures to be sharp and vigorous under the impressions of the first alarm, and to relax by degrees, until at length the danger, by not operating instantly, comes to appear as a false alarm, — so much so, that the next menacing appearance will look less formidable, and will be less provided against. But to those who are on the offensive it is not necessary to be always alert. Possibly it is more their interest not to be so. For their unforeseen attacks contribute to their success.

The French party how composed.

In the mean time a system of French conspiracy is gaining ground in every country. This system, happening to be founded on principles the most delusive indeed, but the most flattering to the natural propensities of the unthinking multitude, and to the speculations of all those who think, without thinking very profoundly, must daily extend its influence. A predominant inclination towards it appears in all those who have no religion, when otherwise their disposition leads them to be advocates even for despotism. Hence Hume, though I cannot say that he does not throw out some expressions of disapprobation on the proceedings of the levellers in the reign of Richard the Second, yet affirms that the doctrines of John Ball were "conformable to the ideas of primitive equality *which are engraven in the hearts of all men.*"

Boldness formerly was not the character of athe ists as such. They were even of a character nearly the reverse; they were formerly like the old Epicureans, rather an unenterprising race. But of late they are grown active, designing, turbulent, and seditious. They are sworn enemies to kings, nobility, and priest-

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hood. We have seen all the Academicians at Paris, with Condorcet, the friend and correspondent of Priestley, at their head, the most furious of the extravagant republicans.

Condorcet.

The late Assembly, after the last captivity of the king, had actually chosen this Condorcet, by a majority on the ballot, for preceptor to the Dauphin, who was to be taken out of the hands and direction of his parents, and to be delivered over to this fanatic atheist and furious democratic republican. His untractability to these leaders, and his figure in the club of Jacobins, which at that time they wished to bring under, alone prevented that part of the arrangement, and others in the same style, from being carried into execution. Whilst he was candidate for this office, he produced his title to it by promulgating the following ideas of the title of his royal pupil to the crown. In a paper written by him, and published with his name, against the reëstablishment even of the appearance of monarchy under any qualifications, he says: —

Doctrine of the French.

"Jusqu'à ce moment, ils [l'Assemblée Nationale] n'ont rien préjugé encore. En se réservant de nommer un gouverneur au Dauphin, ils n'ont pas prononcé *que cet enfant dût régner*, mais seulement qu'il *était possible* que la Constitution l'y destinât; ils ont voulu que l'éducation effaçât tout ce que *les prestiges du trône* ont pu lui inspirer de préjugés sur les droits prétendus de sa naissance; qu'elle lui fît connaître de bonne heure et *l'égalité naturelle des hommes et la souveraineté du peuple;* qu'elle lui apprît à ne pas oublier que c'est *du peuple* qu'il tiendra le titre de Roi, et que *le peuple n'a pas même le droit de renoncer à celui de l'en dépouiller.*

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"Ils ont voulu que cette éducation le rendît également digne, par ses lumières et ses vertus, de recevoir *avec résignation* le fardeau dangereux d'une couronne, ou de la *déposer avec joie* entre les mains de ses frères; qu'il sentît que le devoir et la gloire du roi d'un peuple libre sont de hâter le moment de n'être plus qu'un citoyen ordinaire.

"Ils ont voulu que *l'inutilité d'un roi*, la nécessité de chercher les moyens de remplacer *un pouvoir fondé sur des illusions*, fût une des premières vérités offertes à sa raison; *l'obligation d'y concourir lui-même*, *un des premiers devoirs de sa morale; et le désir de n'être plus affranchi du joug de la loi par une injurieuse inviolabilité*, *le premier sentiment de son cœur*. Ils n'ignorent pas que dans ce moment il s'agit bien moins de former un roi que de lui apprendre *à savoir à vouloir ne plus l'être*." *

Such are the sentiments of the man who has occasionally filled the chair of the National Assembly, who is their perpetual secretary, their only standing officer, and the most important by far. He leads them to peace or war. He is the great theme of the republican faction in England. These ideas of M. Condorcet are the principles of those to whom kings

* "Until now, they [the National Assembly] have prejudged nothing. Reserving to themselves a right to appoint a preceptor to the Dauphin, they did not declare *that this child was to reign*, but only that *possibly* the Constitution *might* destine him to it: they willed, that, while education should efface from his mind all the prejudices arising from *the delusions of the throne* respecting his pretended birthright, it should also teach him not to forget that it is *from the people* he is to receive the title of King, and that *the people do not even possess the right of giving up their power to take it from him.*

"They willed that this education should render him worthy, by his knowledge and by his virtues, both to receive *with submission* the dan-

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are to intrust their successors and the interests of their succession. This man would be ready to plunge the poniard in the heart of his pupil, or to whet the axe for his neck. Of all men, the most dangerous is a warm, hot-headed, zealous atheist. This sort of man aims at dominion, and his means are the words he always has in his mouth, — "*L'égalité naturelle des hommes, et la souveraineté du peuple.*"

All former attempts, grounded on these rights of men, had proved unfortunate. The success of this last makes a mighty difference in the effect of the doctrine. Here is a principle of a nature to the multitude the most seductive, always existing before their eyes *as a thing feasible in practice.* After so many failures, such an enterprise, previous to the French experiment, carried ruin to the contrivers, on the face of it; and if any enthusiast was so wild as to wish to engage in a scheme of that nature, it was not easy for him to find followers: now there is a party almost in all countries, ready-made, animated with success, with a sure ally in the very centre of Europe. There is no cabal so obscure in any place, that they do not protect, cherish, foster, and endeavor to

gerous burden of a crown, and *to resign it with pleasure* into the hands of his brethren; that he should be conscious that the hastening of that moment when he is to be only a common citizen constitutes the duty and the glory of a king of a free people.

"They willed that *the uselessness of a king,* the necessity of seeking means to establish something in lieu of *a power founded on illusions,* should be one of the first truths offered to his reason; *the obligation of conforming himself to this, the first of his moral duties; and the desire of no longer being freed from the yoke of the law by an injurious inviolability, the first and chief sentiment of his heart.* They are not ignorant that in the present moment the object is less to form a king than to teach him *that he should know how to wish no longer to be such.*"

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raise it into importance at home and abroad. From the lowest, this intrigue will creep up to the highest. Ambition, as well as enthusiasm, may find its account in the party and in the principle.

Character of ministers.

The ministers of other kings, like those of the king of France, (not one of whom was perfectly free from this guilt, and some of whom were very deep in it,) may themselves be the persons to foment such a disposition and such a faction. Hertzberg, the king of Prussia's late minister, is so much of what is called a philosopher, that he was of a faction with that sort of politicians in everything, and in every place. Even when he defends himself from the imputation of giving extravagantly into these principles, he still considers the Revolution of France as a great public good, by giving credit to their fraudulent declaration of their universal benevolence and love of peace. Nor are his Prussian Majesty's present ministers at all disinclined to the same system. Their ostentatious preamble to certain late edicts demonstrates (if their actions had not been sufficiently explanatory of their cast of mind) that they are deeply infected with the same distemper of dangerous, because plausible, though trivial and shallow, speculation.

Ministers, turning their backs on the reputation which properly belongs to them, aspire at the glory of being speculative writers. The duties of these two situations are in general directly opposite to each other. Speculators ought to be neutral. A minister cannot be so. He is to support the interest of the public as connected with that of his master. He is his master's trustee, advocate, attorney, and steward, — and he is not to indulge in any speculation which

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contradicts that character, or even detracts from its efficacy. Necker had an extreme thirst for this sort of glory; so had others; and this pursuit of a misplaced and misunderstood reputation was one of the causes of the ruin of these ministers, and of their unhappy master. The Prussian ministers in foreign courts have (at least not long since) talked the most democratic language with regard to France, and in the most unmanaged terms.

Corps diplomatique.

The whole *corps diplomatique*, with very few exceptions, leans that way. What cause produces in them a turn of mind which at first one would think unnatural to their situation it is not impossible to explain. The discussion would, however, be somewhat long and somewhat invidious. The fact itself is indisputable, however they may disguise it to their several courts. This disposition is gone to so very great a length in that corps, in itself so important, and so important as *furnishing* the intelligence which sways all cabinets, that, if princes and states do not very speedily attend with a vigorous control to that source of direction and information, very serious evils are likely to befall them.

Sovereigns — their dispositions.

But, indeed, kings are to guard against the same sort of dispositions in themselves. They are very easily alienated from all the higher orders of their subjects, whether civil or military, laic or ecclesiastical. It is with persons of condition that sovereigns chiefly come into contact. It is from them that they generally experience opposition to their will. It is with *their* pride and impracticability that princes are most hurt. It is with *their* servility and baseness that they are most commonly disgusted. It is from their humors and cabals that

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they find their affairs most frequently troubled and distracted. But of the common people, in pure monarchical governments, kings know little or nothing; and therefore being unacquainted with their faults, (which are as many as those of the great, and much more decisive in their effects, when accompanied with power,) kings generally regard them with tenderness and favor, and turn their eyes towards that description of their subjects, particularly when hurt by opposition from the higher orders. It was thus that the king of France (a perpetual example to all sovereigns) was ruined. I have it from very sure information, (and it was, indeed, obvious enough, from the measures which were taken previous to the assembly of the States and afterwards,) that the king's counsellors had filled him with a strong dislike to his nobility, his clergy, and the corps of his magistracy. They represented to him, that he had tried them all severally, in several ways, and found them all untractable: that he had twice called an assembly (the Notables) composed of the first men of the clergy, the nobility, and the magistrates; that he had himself named every one member in those assemblies, and that, though so picked out, he had not, in this their collective state, found them more disposed to a compliance with his will than they had been separately; that there remained for him, with the least prospect of advantage to his authority in the States-General, which were to be composed of the same sorts of men, but not chosen by him, only the *Tiers État:* in this alone he could repose any hope of extricating himself from his difficulties, and of settling him in a clear and permanent authority. They represented, (these are the words of one of my

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informants,) "that the royal authority, compressed with the weight of these aristocratic bodies, full of ambition and of faction, when once unloaded, would rise of itself, and occupy its natural place without disturbance or control"; that the common people would protect, cherish, and support, instead of crushing it. "The people" (it was said) "could entertain no objects of ambition"; they were out of the road of intrigue and cabal, and could possibly have no other view than the support of the mild and parental authority by which they were invested, for the first time collectively, with real importance in the state, and protected in their peaceable and useful employments.

King of France.

This unfortunate king (not without a large share of blame to himself) was deluded to his ruin by a desire to humble and reduce his nobility, clergy, and his corporate magistracy: not that I suppose he meant wholly to eradicate these bodies, in the manner since effected by the democratic power; I rather believe that even Necker's designs did not go to that extent. With his own hand, however, Louis the Sixteenth pulled down the pillars which upheld his throne; and this he did, because he could not bear the inconveniences which are attached to everything human, — because he found himself cooped up, and in durance, by those limits which Nature prescribes to desire and imagination, and was taught to consider as low and degrading that mutual dependence which Providence has ordained that all men should have on one another. He is not at this minute, perhaps, cured of the dread of the power and credit like to be acquired by those who would save and rescue him. He leaves those

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who suffer in his cause to their fate, — and hopes, by various mean, delusive intrigues, in which I am afraid he is encouraged from abroad, to regain, among traitors and regicides, the power he has joined to take from his own family, whom he quietly sees proscribed before his eyes, and called to answer to the lowest of his rebels, as the vilest of all criminals.

Emperor.

It is to be hoped that the Emperor may be taught better things by this fatal example. But it is sure that he has advisers who endeavor to fill him with the ideas which have brought his brother-in-law to his present situation. Joseph the Second was far gone in this philosophy, and some, if not most, who serve the Emperor, would kindly initiate him into all the mysteries of this freemasonry. They would persuade him to look on the National Assembly, not with the hatred of an enemy, but the jealousy of a rival. They would make him desirous of doing, in his own dominions, by a royal despotism, what has been done in France by a democratic. Rather than abandon such enterprises, they would persuade him to a strange alliance between those extremes. Their grand object being now, as in his brother's time, at any rate to destroy the higher orders, they think he cannot compass this end, as certainly he cannot, without elevating the lower. By depressing the one and by raising the other they hope in the first place to increase his treasures and his army; and with these common instruments of royal power they flatter him that the democracy, which they help in his name to create, will give him but little trouble. In defiance of the freshest experience, which might show him that old impossibilities are become modern probabilities, and that the

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extent to which evil principles may go, when left to their own operation, is beyond the power of calculation, they will endeavor to persuade him that such a democracy is a thing which cannot subsist by itself; that in whose ever hands the military command is placed, he must be, in the necessary course of affairs, sooner or later the master; and that, being the master of various unconnected countries, he may keep them all in order by employing a military force which to each of them is foreign. This maxim, too, however formerly plausible, will not now hold water. This scheme is full of intricacy, and may cause him everywhere to lose the hearts of his people. These counsellors forget that a corrupted army was the very cause of the ruin of his brother-in-law, and that he is himself far from secure from a similar corruption.

Brabant.

Instead of reconciling himself heartily and *bonâ fide*, according to the most obvious rules of policy, to the States of Brabant, *as they are constituted*, and who in *the present state of things* stand on the same foundation with the monarchy itself, and who might have been gained with the greatest facility, they have advised him to the most unkingly proceeding which, either in a good or in a bad light, has ever been attempted. Under a pretext taken from the spirit of the lowest chicane, they have counselled him wholly to break the public faith, to annul the amnesty, as well as the other conditions through which he obtained an entrance into the Provinces of the Netherlands under the guaranty of Great Britain and Prussia. He is made to declare his adherence to the indemnity in a criminal sense, but he is to keep alive in his own name, and to encourage in others, a *civil* process in the nature of an

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action of damages for what has been suffered during the troubles. Whilst he keeps up this hopeful lawsuit in view of the damages he may recover against individuals, he loses the hearts of a whole people, and the vast subsidies which his ancestors had been used to receive from them.

Emperor's conduct with regard to France.

This design once admitted unriddles the mystery of the whole conduct of the Emperor's ministers with regard to France. As soon as they saw the life of the king and queen of France no longer, as they thought, in danger, they entirely changed their plan with regard to the French nation. I believe that the chiefs of the Revolution (those who led the constituting Assembly) have contrived, as far as they can do it, to give the Emperor satisfaction on this head. He keeps a continual tone and posture of menace to secure this his only point. But it must be observed, that he all along grounds his departure from the engagement at Pilnitz to the princes on the will and actions of *the king* and the majority of the people, without any regard to the natural and constitutional orders of the state, or to the opinions of the whole House of Bourbon. Though it is manifestly under the constraint of imprisonment and the fear of death that this unhappy man has been guilty of all those humilities which have astonished mankind, the advisers of the Emperor will consider nothing but the *physical* person of Louis, which, even in his present degraded and infamous state, they regard as of sufficient authority to give a complete sanction to the persecution and utter ruin of all his family, and of every person who has shown any degree of attachment or fidelity to him or to his cause, as

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well as competent to destroy the whole ancient constitution and frame of the French monarchy.

The present policy, therefore, of the Austrian politicians is, to recover despotism through democracy, — or, at least, at any expense, everywhere to ruin the description of men who are everywhere the objects of their settled and systematic aversion, but more especially in the Netherlands. Compare this with the Emperor's refusing at first all intercourse with the present powers in France, with his endeavoring to excite all Europe against them, and then, his not only withdrawing all assistance and all countenance from the fugitives who had been drawn by his declarations from their houses, situations, and military commissions, many even from the means of their very existence, but treating them with every species of insult and outrage.

Combining this unexampled conduct in the Emperor's advisers with the timidity (operating as perfidy) of the king of France, a fatal example is held out to all subjects, tending to show what little support, or even countenance, they are to expect from those for whom their principle of fidelity may induce them to risk life and fortune. The Emperor's advisers would not for the world rescind one of the acts of this or of the late French Assembly; nor do they wish anything better at present for their master's brother of France than that he should really be, as he is nominally, at the head of the system of persecution of religion and good order, and of all descriptions of dignity, natural and instituted: they only wish all this done with a little more respect to the king's person, and with more appearance of consideration for his new subordinate office, — in

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hopes, that, yielding himself for the present to the persons who have effected these changes, he may be able to game for the rest hereafter. On no other principles than these can the conduct of the court of Vienna be accounted for. The subordinate court of Brussels talks the language of a club of Feuillants and Jacobins.

Moderate party.

In this state of general rottenness among subjects, and of delusion and false politics in princes, comes a new experiment. The king of France is in the hands of the chiefs of the regicide faction, — the Barnaves, Lameths, Fayettes, Périgords, Duports, Robespierres, Camuses, &c., &c., &c. They who had imprisoned, suspended, and conditionally deposed him are his confidential counsellors. The next desperate of the desperate rebels call themselves the *moderate* party. They are the chiefs of the first Assembly, who are confederated to support their power during their suspension from the present, and to govern the existent body with as sovereign a sway as they had done the last. They have, for the greater part, succeeded; and they have many advantages towards procuring their success in future. Just before the close of their regular power, they bestowed some appearance of prerogatives on the king, which in their first plans they had refused to him, — particularly the mischievous, and, in his situation, dreadful prerogative of a *veto*. This prerogative, (which they hold as their bit in the mouth of the National Assembly for the time being,) without the direct assistance of their club, it was impossible for the king to show even the desire of exerting with the smallest effect, or even with safety to his person. However, by playing, through this *veto*, the Assembly against the

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king, and the king against the Assembly, they have made themselves masters of both. In this situation, having destroyed the old government by their sedition, they would preserve as much of order as is necessary for the support of their own usurpation.

French ambassador.

It is believed that this, by far the worst party of the miscreants of France, has received direct encouragement from the counsellors who betray the Emperor. Thus strengthened by the possession of the captive king, (now captive in his mind as well as in body,) and by a good hope of the Emperor, they intend to send their ministers to every court in Europe, — having sent before them such a denunciation of terror and superiority to every nation without exception as has no example in the diplomatic world. Hitherto the ministers to foreign courts had been of the appointment of the sovereign of France *previous to the Revolution;* and, either from inclination, duty, or decorum, most of them were contented with a merely passive obedience to the new power. At present, the king, being entirely in the hands of his jailors, and his mind broken to his situation, can send none but the enthusiasts of the system, — men framed by the secret committee of the Feuillants, who meet in the house of Madame de Staël, M. Necker's daughter. Such is every man whom they have talked of sending hither. These ministers will be so many spies and incendiaries, so many active emissaries of democracy. Their houses will become places of rendezvous here, as everywhere else, and centres of cabal for whatever is mischievous and malignant in this country, particularly among those of rank and fashion. As the minister of the National Assembly will be

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admitted at this court, at least with his usual rank, and as entertainments will be naturally given and received by the king's own ministers, any attempt to discountenance the resort of other people to that minister would be ineffectual, and indeed absurd, and full of contradiction. The women who come with these ambassadors will assist in fomenting factions amongst ours, which cannot fail of extending the evil. Some of them I hear are already arrived. There is no doubt they will do as much mischief as they can.

Connection of clubs.

Whilst the public ministers are received under the general law of the communication between nations, the correspondences between the factious clubs in France and ours will be, as they now are, kept up; but this pretended embassy will be a closer, more steady, and more effectual link between the partisans of the new system on both sides of the water. I do not mean that these Anglo-Gallic clubs in London, Manchester, &c., are not dangerous in a high degree. The appointment of festive anniversaries has ever in the sense of mankind been held the best method of keeping alive the spirit of any institution. We have one settled in London; and at the last of them, that of the 14th of July, the strong discountenance of government, the unfavorable time of the year, and the then uncertainty of the disposition of foreign powers, did not hinder the meeting of at least nine hundred people, with good coats on their backs, who could afford to pay half a guinea a head to show their zeal for the new principles. They were with great difficulty, and all possible address, hindered from inviting the French ambassador. His real indisposition, besides



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the fear of offending any party, sent him out of town. But when our court shall have recognized a government in France founded on the principles announced in Montmorin's letter, how can the French ambassador be frowned upon for an attendance on those meetings wherein the establishment of the govern ment he represents is celebrated? An event happened a few days ago, which in many particulars was very ridiculous; yet, even from the ridicule and absurdity of the proceedings, it marks the more strongly the spirit of the French Assembly: I mean the reception they have given to the Frith Street Alliance. This, though the delirium of a low, drunken alehouse club, they have publicly announced as a formal alliance with the people of England, as such ordered it to be presented to their king, and to be published in every province in France. This leads, more directly and with much greater force than any proceeding with a regular and rational appearance, to two very material considerations. First, it shows that they are of opinion that the current opinions of the English have the greatest influence on the minds of the people in France, and indeed of all the people in Europe, since they catch with such astonishing eagerness at every the most trifling show of such opinions in their favor. Next, and what appears to me to be full as important, it shows that they are willing publicly to countenance, and even to adopt, every factious conspiracy that can be formed in this nation, however low and base in itself, in order to excite in the most miserable wretches here an idea of their own sovereign importance, and to encourage them to look up to France, whenever they may be matured into something of more force, for assistance in

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the subversion of their domestic government. This address of the alehouse club was actually proposed and accepted by the Assembly as an *alliance*. The procedure was in my opinion a high misdemeanor in those who acted thus in England, if they were not so very low and so very base that no acts of theirs can be called high, even as a description of criminality; and the Assembly, in accepting, proclaiming, and publishing this forged alliance, has been guilty of a plain aggression, which would justify our court in demanding a direct disavowal, if our policy should not lead us to wink at it.

Whilst I look over this paper to have it copied, I see a manifesto of the Assembly, as a preliminary to a declaration of war against the German princes on the Rhine. This manifesto contains the whole substance of the French politics with regard to foreign states. They have ordered it to be circulated amongst the people in every country of Europe, — even previously to its acceptance by the king, and his new privy council, the club of the Feuillants. Therefore, as a summary of their policy avowed by themselves, let us consider some of the circumstances attending that piece, as well as the spirit and temper of the piece itself.

Declaration against the Emperor.

It was preceded by a speech from Brissot, full of unexampled insolence towards all the sovereign states of Germany, if not of Europe. The Assembly, to express their satisfaction in the sentiments which it contained, ordered it to be printed. This Brissot had been in the lowest and basest employ under the deposed monarchy, — a sort of thief-taker, or spy of police, — in which character he acted after the manner of persons in that descrip-

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tion. He had been employed by his master, the *Lieutenant de Police*, for a considerable time in London, in the same or some such honorable occupation. The Revolution, which has brought forward all merit of that kind, raised him, with others of a similar class and disposition, to fame and eminence. On the Revolution he became a publisher of an infamous newspaper, which he still continues. He is charged, and I believe justly, as the first mover of the troubles in Hispaniola. There is no wickedness, if I am rightly informed, in which he is not versed, and of which he is not perfectly capable. His quality of news-writer, now an employment of the first dignity in France, and his practices and principles, procured his election into the Assembly, where he is one of the leading members. M. Condorcet produced on the same day a draught of a declaration to the king, which the Assembly published before it was presented.

Condorcet (though no marquis, as he styled himself before the Revolution) is a man of another sort of birth, fashion, and occupation from Brissot, — but in every principle, and every disposition to the lowest as well as the highest and most determined villanies, fully his equal. He seconds Brissot in the Assembly, and is at once his coadjutor and his rival in a newspaper, which, in his own name, and as successor to M. Garat, a member also of the Assembly, he has just set up in that empire of gazettes. Condorcet was chosen to draw the first declaration presented by the Assembly to the king, as a threat to the Elector of Treves, and the other princes on the Rhine. In that piece, in which both Feuillants and Jacobins concurred, they declared publicly, and most proudly

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and insolently, the principle on which they mean to proceed in their future disputes with any of the sovereigns of Europe; for they say, "that it is not with fire and sword they mean to attack their territories, but by what will be *more dreadful* to them, the introduction of liberty." — I have not the paper by me, to give the exact words, but I believe they are nearly as I state them. — *Dreadful*, indeed, will be their hostility, if they should be able to carry it on according to the example of *their* modes of introducing liberty. They have shown a perfect model of their whole design, very complete, though in little. This gang of murderers and savages have wholly laid waste and utterly ruined the beautiful and happy country of the Comtat Venaissin and the city of Avignon. This cruel and treacherous outrage the sovereigns of Europe, in my opinion, with a great mistake of their honor and interest, have permitted, even without a remonstrance, to be carried to the desired point, on the principles on which they are now themselves threatened in their own states; and this, because, according to the poor and narrow spirit now in fashion, their brother sovereign, whose subjects have been thus traitorously and inhumanly treated in violation of the law of Nature and of nations, has a name somewhat different from theirs, and, instead of being styled King, or Duke, or Landgrave, is usually called Pope.

State of the Empire.

The Electors of Treves and Mentz were frightened with the menace of a similar mode of war. The Assembly, however, not thinking that the Electors of Treves and Mentz had done enough under their first terror, have again brought forward Condorcet, preceded by Brissot, as I have just stated. The declaration, which they have ordered

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now to be circulated in all countries, is in substance the same as the first, but still more insolent, because more full of detail. There they have the impudence to state that they aim at no conquest: insinuating that all the old, lawful powers of the world had each made a constant, open profession of a design of subduing his neighbors. They add, that, if they are provoked, their war will be directed only against those who assume to be *masters;* but to the *people* they will bring peace, law, liberty, &c., &c. There is not the least hint that they consider those whom they call persons "*assuming to be masters*" to be the lawful government of their country, or persons to be treated with the least management or respect. They regard them as usurpers and enslavers of the people. If I do not mistake, they are described by the name of tyrants in Condorcet's first draught. I am sure they are so in Brissot's speech, ordered by the Assembly to be printed at the same time and for the same purposes. The whole is in the same strain, full of false philosophy and false rhetoric, — both, however, calculated to captivate and influence the vulgar mind, and to excite sedition in the countries in which it is ordered to be circulated. Indeed, it is such, that, if any of the lawful, acknowledged sovereigns of Europe had publicly ordered such a manifesto to be circulated in the dominions of another, the ambassador of that power would instantly be ordered to quit every court without an audience.

Effect of fear on the sovereign powers.

The powers of Europe have a pretext for concealing their fears, by saying that this language is not used by the king; though they well know that there is in effect no such person, — that the Assembly is in reality, and by that king is acknowl-

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edged to be, *the master*, — that what he does is but matter of formality, — and that he can neither cause nor hinder, accelerate nor retard, any measure whatsoever, nor add to nor soften the manifesto which the Assembly has directed to be published, with the declared purpose of exciting mutiny and rebellion in the several countries governed by these powers. By the generality also of the menaces contained in this paper, (though infinitely aggravating the outrage,) they hope to remove from each power separately the idea of a distinct affront. The persons first pointed at by the menace are certainly the princes of Germany, who harbor the persecuted House of Bourbon and the nobility of France; the declaration, however, is general, and goes to every state with which they may have a cause of quarrel. But the terror of France has fallen upon all nations. A few months since all sovereigns seemed disposed to unite against her; at present they all seem to combine in her favor. At no period has the power of France ever appeared with so formidable an aspect. In particular the liberties of the Empire can have nothing more than an existence the most tottering and precarious, whilst France exists with a great power of fomenting rebellion, and the greatest in the weakest, — but with neither power nor disposition to support the smaller states in their independence against the attempts of the more powerful.

I wind up all in a full conviction within my own breast, and the substance of which I must repeat over and over again, that the state of France is the first consideration in the politics of Europe, and of each state, externally as well as internally considered.

Most of the topics I have used are drawn from fear and apprehension. Topics derived from fear or ad-

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dressed to it are, I well know, of doubtful appearance. To be sure, hope is in general the incitement to action. Alarm some men, — you do not drive them to provide for their security; you put them to a stand; you induce them, not to take measures to prevent the approach of danger, but to remove so unpleasant an idea from their minds; you persuade them to remain as they are, from a new fear that their activity may bring on the apprehended mischief before its time. I confess freely that this evil sometimes happens from an overdone precaution; but it is when the measures are rash, ill-chosen, or ill-combined, and the effects rather of blind terror than of enlightened foresight. But the few to whom I wish to submit my thoughts are of a character which will enable them to see danger without astonishment, and to provide against it without perplexity.

To what lengths this method of circulating mutinous manifestoes, and of keeping emissaries of sedition in every court under the name of ambassadors, to propagate the same principles and to follow the practices, will go, and how soon they will operate, it is hard to say; but go on it will, more or less rapidly, according to events, and to the humor of the time. The princes menaced with the revolt of their subjects, at the same time that they have obsequiously obeyed the sovereign mandate of the new Roman senate, have received with distinction, in a public character, ambassadors from those who in the same act had circulated the manifesto of sedition in their dominions. This was the only thing wanting to the degradation and disgrace of the Germanic body.

The ambassadors from the rights of man, and their admission into the diplomatic system, I hold to be a

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new era in this business. It will be the most important step yet taken to affect the existence of sovereigns, and the higher classes of life: I do not mean to exclude its effects upon all classes; but the first blow is aimed at the more prominent parts in the ancient order of things.

What is to be done?

It would be presumption in me to do more than to make a case. Many things occur. But as they, like all political measures, depend on dispositions, tempers, means, and external circumstances, for all their effect, not being well assured of these, I do not know how to let loose any speculations of mine on the subject. The evil is stated, in my opinion, as it exists. The remedy must be where power, wisdom, and information, I hope, are more united with good intentions than they can be with me. I have done with this subject, I believe, forever. It has given me many anxious moments for the two last years. If a great change is to be made in human affairs, the minds of men will be fitted to it, the general opinions and feelings will draw that way. Every fear, every hope, will forward it; and then they who persist in opposing this mighty current in human affairs will appear rather to resist the decrees of Providence itself than the mere designs of men. They will not be resolute and firm, but perverse and obstinate.

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# HEADS FOR CONSIDERATION

ON THE

# PRESENT STATE OF AFFAIRS.

WRITTEN IN NOVEMBER, 1792.

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## HEADS FOR CONSIDERATION.

THAT France by its mere geographical position, independently of every other circumstance, must affect every state of Europe: some of them immediately, all of them through mediums not very remote.

That the standing policy of this kingdom ever has been to watch over the *external* proceedings of France, (whatever form the *interior* government of that kingdom might take,) and to prevent the extension of its dominion or its ruling influence over other states.

That there is nothing in the present *internal* state of things in France which alters the national policy with regard to the exterior relations of that country.

That there are, on the contrary, many things in the internal circumstances of France (and perhaps of this country, too) which tend to fortify the principles of that fundamental policy, and which render the active assertion of those principles more pressing at this than at any former time.

That, by a change effected in about three weeks, France has been able to penetrate into the heart of Germany, to make an absolute conquest of Savoy, to menace an immediate invasion of the Netherlands, and to awe and overbear the whole Helvetic body, which is in a most perilous situation: the great aristocratic Cantons having, perhaps, as much or more to dread from their own people, whom they

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arm, but do not choose or dare to employ, as from the foreign enemy, which against all public faith has butchered their troops serving by treaty in France. To this picture it is hardly necessary to add the means by which France has been enabled to effect all this, — namely, the apparently entire destruction of one of the largest and certainly the highest disciplined and best appointed army ever seen, headed by the first military sovereign in Europe, with a captain under him of the greatest renown; and that without a blow given or received on any side. This state of things seems to me, even if it went no further, truly serious.

Circumstances have enabled France to do all this by *land*. On the other element she has begun to exert herself; and she must succeed in her designs, if enemies very different from those she has hitherto had to encounter do not resist her.

She has fitted out a naval force, now actually at sea, by which she is enabled to give law to the whole Mediterranean. It is known as a fact, (and if not so known, it is in the nature of things highly probable,) that she proposes the ravage of the Ecclesiastical State and the pillage of Rome, as her first object; that next she means to bombard Naples, — to awe, to humble, and thus to command, all Italy, — to force it to a nominal neutrality, but to a real dependence, — to compel the Italian princes and republics to admit the free entrance of the French commerce, an open intercourse, and, the sure concomitant of that intercourse, the *affiliated societies*, in a manner similar to those she has established at Avignon, the Comtat, Chambéry, London, Manchester, &c., &c., which are so many colonies planted in all these countries,

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for extending the influence and securing the dominion of the French republic.

That there never has been hitherto a period in which this kingdom would have suffered a French fleet to domineer in the Mediterranean, and to force Italy to submit to such terms as France would think fit to impose, — to say nothing of what has been done upon land in support of the same system. The great object for which we preserved Minorca, whilst we could keep it, and for which we still retain Gibraltar, both at a great expense, was, and is, to prevent the predominance of France over the Mediterranean.

Thus far as to the certain and immediate effect of that armament upon the Italian States. The probable effect which that armament, and the other ar maments preparing at Toulon and other ports, may have upon Spain, on the side of the Mediterranean, is worthy of the serious attention of the British councils.

That it is most probable, we may say in a manner certain, that, if there should be a rupture between France and Spain, France will not confine her offensive piratical operations against Spain to her efforts in the Mediterranean; on which side, however, she may grievously affect Spain, especially if she excites Morocco and Algiers, which undoubtedly she will, to fall upon that power.

That she will fit out armaments upon the ocean, by which the flota itself may be intercepted, and thus the treasures of all Europe, as well as the largest and surest resources of the Spanish monarchy, may be conveyed into France, and become powerful instruments for the annoyance of all her neighbors.

That she makes no secret of her designs.

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That, if the inward and outward bound flota should escape, still France has more and better means of dissevering many of the provinces in the West and East Indies from the state of Spain than Holland had, when she succeeded in the same attempt. The French marine resembles not a little the old armaments of the Flibustiers, which about a century back, in conjunction with pirates of our nation, brought such calamities upon the Spanish colonies. They differ only in this, — that the present piratical force is out of all measure and comparison greater: one hundred and fifty ships of the line and frigates being ready-built, most of them in a manner new, and all applicable in different ways to that service. Privateers and Moorish corsairs possess not the best seamanship, and very little discipline, and indeed can make no figure in regular service; but in desperate adventures, and animated with a lust of plunder, they are truly formidable.

That the land forces of France are well adapted to concur with their marine in conjunct expeditions of this nature. In such expeditions, enterprise supplies the want of discipline, and perhaps more than supplies it. Both for this, and for other service, (however contemptible their military is in other respects,) one arm is extremely good, the engineering and artillery branch. The old officer corps in both being composed for the greater part of those who were not gentlemen, or gentlemen newly such, few have abandoned the service, and the men are veterans, well enough disciplined, and very expert. In this piratical way they must make war with good advantage. They must do so, even on the side of Flanders, either offensively or defensively. This shows the difference

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between the policy of Louis the Fourteenth, who built a wall of brass about his kingdom, and that of Joseph the Second, who premeditatedly uncovered his whole frontier.

That Spain, from the actual and expected prevalence of French power, is in a most perilous situation, — perfectly dependent on the mercy of that republic. If Austria is broken, or even humbled, she will not dare to dispute its mandates.

In the present state of things, we have nothing at all to dread from the power of Spain by sea or by land, or from any rivalry in commerce.

That we have much to dread from the connections into which Spain may be forced.

From the circumstances of her territorial possessions, of her resources, and the whole of her civil and political state, we may be authorized safely and with undoubted confidence to affirm that

*Spain is not a substantive power.*

That she must lean on France or on England.

That it is as much for the interest of Great Britain to prevent the predominancy of a French interest in that kingdom as if Spain were a province of the crown of Great Britain, or a state actually dependent on it, — full as much so as ever Portugal was reputed to be. This is a dependency of much greater value; and its destruction, or its being carried to any other dependency, of much more serious misfortune.

One of these two things must happen: either Spain must submit to circumstances and take such conditions as France will impose, or she must engage in hostilities along with the Emperor and the king of Sardinia.

If Spain should be forced or awed into a treaty



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with the republic of France, she must open her ports and her commerce, as well as the land communication for the French laborers, who were accustomed annually to gather in the harvest in Spain. Indeed, she must grant a free communication for travellers and traders through her whole country. In that case it is not conjectural, it is certain, the clubs will give law in the provinces; Bourgoing, or some such miscreant, will give law at Madrid.

In this England may acquiesce, if she pleases; and France will conclude a triumphant peace with Spain under her absolute dependence, with a broad highway into that, and into every state of Europe. She actually invites Great Britain to divide with her the spoils of the New World, and to make a partition of the Spanish monarchy. Clearly, it is better to do so than to suffer France to possess those spoils and that territory alone; which, without doubt, unresisted by us, she is altogether as able as she is willing to do.

This plan is proposed by the French in the way in which they propose all their plans, — and in the only way in which, indeed, they can propose them, where there is no regular communication between his Majesty and their republic.

What they propose is *a plan*. It is *a plan* also to resist their predatory project. To remain quiet, and to suffer them to make their own use of a naval power before our face, so as to awe and bully Spain into a submissive peace, or to drive them into a ruinous war, without any measure on our part, I fear is no plan at all.

However, if the plan of coöperation which France desires, and which her affiliated societies here ardently wish and are constantly writing up, should not

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be adopted, and the war between the Emperor and France should continue, I think it not at all likely that Spain should not be drawn into the quarrel. In that case, the neutrality of England will be a thing absolutely impossible. The time only is the subject of deliberation.

Then the question will be, whether we are to defer putting ourselves into a posture for the common defence, either by armament, or negotiation, or both, until Spain is actually attacked, — that is, whether our court will take a decided part for Spain, whilst Spain, on her side, is yet in a condition to act with whatever degree of vigor she may have, whilst that vigor is yet unexhausted, — or whether we shall connect ourselves with her broken fortunes, after she shall have received material blows, and when we shall have the whole slow length of that always unwieldy and ill-constructed, and then wounded and crippled body, to drag after us, rather than to aid us. Whilst our disposition is uncertain, Spain will not dare to put herself in such a state of defence as will make her hostility formidable or her neutrality respectable.

If the decision is such as the solution of this question (I take it to be the true question) conducts to, no time is to be lost. But the measures, though prompt, ought not to be rash and indigested. They ought to be well chosen, well combined, and well pursued. The system must be general; but it must be executed, not successively, or with interruption, but all together, *uno flatu*, in one melting, and one mould.

For this purpose we must put Europe before us, which plainly is, just now, in all its parts, in a state of dismay, derangement, and confusion, and, very

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possibly amongst all its sovereigns, full of secret heart-burning, distrust, and mutual accusation. Perhaps it may labor under worse evils. There is no vigor anywhere, except the distempered vigor and energy of France. That country has but too much life in it, when everything around is so disposed to tameness and languor. The very vices of the French system at home tend to give force to foreign exertions. The generals *must* join the armies. They must lead them to enterprise, or they are likely to perish by their hands. Thus, without law or government of her own, France gives law to all the governments in Europe.

This great mass of political matter must have been always under the view of thinkers for the public, whether they act in office or not. Amongst events, even the late calamitous events were in the book of contingency. Of course they must have been in design, at least, provided for. A plan which takes in as many as possible of the states concerned will rather tend to facilitate and simplify a rational scheme for preserving Spain (if that were our sole, as I think it ought to be our principal object) than to delay and perplex it.

If we should think that a provident policy (perhaps now more than provident, urgent and necessary) should lead us to act, we cannot take measures as if nothing had been done. We must see the faults, if any, which have conducted to the present misfortunes: not for the sake of criticism, military or political, or from the common motives of blaming persons and counsels which have not been successful; but in order, if we can, to administer some remedy to these disasters, by the adoption of plans more bot-

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tomed in principle, and built on with more discretion. Mistakes may be lessons.

There seem, indeed, to have been several mistakes in the political principles on which the war was entered into, as well as in the plans upon which it was conducted, — some of them very fundamental, and not only visibly, but I may say palpably erroneous; and I think him to have less than the discernment of a very ordinary statesman, who could not foresee, from the very beginning, unpleasant consequences from those plans, though not the unparalleled disgraces and disasters which really did attend them: for they were, both principles and measures, wholly new and out of the common course, without anything apparently very grand in the conception to justify this total departure from all rule.

For, in the first place, the united sovereigns very much injured their cause by admitting that they had nothing to do with the interior arrangements of France, — in contradiction to the whole tenor of the public law of Europe, and to the correspondent practice of all its states, from the time we have any history of them. In this particular, the two German courts seem to have as little consulted the publicists of Germany as their own true interests, and those of all the sovereigns of Germany and Europe. This admission of a false principle in the law of nations brought them into an apparent contradiction, when they insisted on the reëstablishment of the royal authority in France. But this confused and contradictory proceeding gave rise to a practical error of worse consequence. It was derived from one and the same root: namely, that the person of the monarch of France was everything; and the monarchy, and the interme-

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diate orders of the state, by which the monarchy was upheld, were nothing. So that, if the united potentates had succeeded so far as to reëstablish the authority of that king, and that he should be so ill-advised as to confirm all the confiscations, and to recognize as a lawful body and to class himself with that rabble of murderers, (and there wanted not persons who would so have advised him,) there was nothing in the principle or in the proceeding of the united powers to prevent such an arrangement.

An expedition to free a brother sovereign from prison was undoubtedly a generous and chivalrous undertaking. But the spirit and generosity would not have been less, if the policy had been more profound and more comprehensive, — that is, if it had taken in those considerations and those persons by whom, and, in some measure, for whom, monarchy exists. This would become a bottom for a system of solid and permanent policy, and of operations conformable to that system.

The same fruitful error was the cause why nothing was done to impress the people of France (so far as we can at all consider the inhabitants of France as a people) with an idea that the government was ever to be really French, or indeed anything else than the nominal government of a monarch, a monarch absolute as over them, but whose sole support was to arise from foreign potentates, and who was to be kept on his throne by German forces, — in short, that the king of France was to be a viceroy to the Emperor and the king of Prussia.

It was the first time that foreign powers, interfering in the concerns of a nation divided into parties, have thought proper to thrust wholly out of their

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councils, to postpone, to discountenance, to reject, and, in a manner, to disgrace, the party whom those powers came to support. The single person of a king cannot be a party. Woe to the king who is himself his party! The royal party, with the king or his representatives at its head, is the *royal cause.* Foreign powers have hitherto chosen to give to such wars as this the appearance of a civil contest, and not that of an hostile invasion. When the Spaniards, in the sixteenth century, sent aids to the chiefs of the League, they appeared as allies to that league, and to the imprisoned king (the Cardinal de Bourbon) which that league had set up. When the Germans came to the aid of the Protestant princes, in the same series of civil wars, they came as allies. When the English came to the aid of Henry the Fourth, they appeared as allies to that prince. So did the French always, when they intermeddled in the affairs of Germany: they came to aid a party there. When the English and Dutch intermeddled in the succession of Spain, they appeared as allies to the Emperor, Charles the Sixth. In short, the policy has been as uniform as its principles were obvious to an ordinary eye.

According to all the old principles of law and policy, a regency ought to have been appointed by the French princes of the blood, nobles, and parliaments, and then recognized by the combined powers. Fundamental law and ancient usage, as well as the clear reason of the thing, have always ordained it during an imprisonment of the king of France: as in the case of John, and of Francis the First. A monarchy ought not to be left a moment without a representative having an interest in the succession. The orders of the state ought also to have been recognized

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in those amongst whom alone they existed in freedom, that is, in the emigrants.

Thus, laying down a firm foundation on the recognition of the authorities of the kingdom of France, according to Nature and to its fundamental laws, and not according to the novel and inconsiderate principles of the usurpation which the united powers were come to extirpate, the king of Prussia and the Emperor, as allies of the ancient kingdom of France, would have proceeded with dignity, first, to free the monarch, if possible,—if not, to secure the monarchy as principal in the design; and in order to avoid all risks to that great object, (the object of other ages than the present, and of other countries than that of France,) they would of course avoid proceeding with more haste or in a different manner than what the nature of such an object required.

Adopting this, the only rational system, the rational mode of proceeding upon it was to commence with an effective siege of Lisle, which the French generals must have seen taken before their faces, or be forced to fight. A plentiful country of friends, from whence to draw supplies, would have been behind them; a plentiful country of enemies, from whence to force supplies, would have been before them. Good towns were always within reach to deposit their hospitals and magazines. The march from Lisle to Paris is through a less defensible country, and the distance is hardly so great as from Longwy to Paris.

If the *old* politic and military ideas had governed, the advanced guard would have been formed of those who best knew the country and had some interest in it, supported by some of the best light troops and light artillery, whilst the grand solid body of an army dis-

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ciplined to perfection proceeded leisurely, and in close connection with all its stores, provisions, and heavy cannon, to support the expedite body in case of misadventure, or to improve and complete its success.

The direct contrary of all this was put in practice. In consequence of the original sin of this project, the army of the French princes was everywhere thrown into the rear, and no part of it brought forward to the last moment, the time of the commencement of the secret negotiation. This naturally made an ill impression on the people, and furnished an occasion for the rebels at Paris to give out that the faithful subjects of the king were distrusted, despised, and abhorred by his allies. The march was directed through a skirt of Lorraine, and thence into a part of Champagne, the Duke of Brunswick leaving all the strongest places behind him, — leaving also behind him the strength of his artillery, — and by this means giving a superiority to the French, in the only way in which the present France is able to oppose a German force.

In consequence of the adoption of those false politics, which turned everything on the king's sole and single person, the whole plan of the war was reduced to nothing but a *coup de main*, in order to set that prince at liberty. If that failed, everything was to be given up.

The scheme of a *coup de main* might (under favorable circumstances) be very fit for a partisan at the head of a light corps, by whose failure nothing material would be deranged. But for a royal army of eighty thousand men, headed by a king in person, who was to march an hundred and fifty miles through an enemy's country, — surely, this was a plan unheard of.

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Although this plan was not well chosen, and proceeded upon principles altogether ill-judged and impolitic, the superiority of the military force might in a great degree have supplied the defects, and furnished a corrective to the mistakes. The greater probability was, that the Duke of Brunswick would make his way to Paris over the bellies of the rabble of drunkards, robbers, assassins, rioters, mutineers, and half-grown boys, under the ill-obeyed command of a theatrical, vaporing, reduced captain of cavalry, who opposed that great commander and great army. But — *Diis aliter visum.* He began to treat, — the winds blew and the rains beat, — the house fell, because it was built upon sand, — and great was the fall thereof. This march was not an exact copy of either of the two marches made by the Duke of Parma into France.

There is some secret. Sickness and weather may defeat an army pursuing a wrong plan: not that I believe the sickness to have been so great as it has been reported; but there is a great deal of superfluous humiliation in this business, a perfect prodigality of disgrace. Some advantage, real or imaginary, must compensate to a great sovereign and to a great general for so immense a loss of reputation. Longwy, situated as it is, might (one should think) be evacuated without a capitulation with a republic just proclaimed by the king of Prussia as an usurping and rebellious body. He was not far from Luxembourg. He might have taken away the obnoxious French in his flight. It does not appear to have been necessary that those magistrates who declared for their own king, on the faith and under the immediate protection of the king of Prussia, should be

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delivered over to the gallows. It was not necessary that the emigrant nobility and gentry who served with the king of Prussia's army, under his immediate command, should be excluded from the cartel, and given up to be hanged as rebels. Never was so gross and so cruel a breach of the public faith, not with an enemy, but with a friend. Dumouriez has dropped very singular hints. Custine has spoken out more broadly. These accounts have never been contradicted. They tend to make an eternal rupture between the powers. The French have given out, that the Duke of Brunswick endeavored to negotiate some name and place for the captive king, amongst the murderers and proscribers of those who have lost their all for his cause. Even this has not been denied.

It is singular, and, indeed, a thing, under all its circumstances, inconceivable, that everything should by the Emperor be abandoned to the king of Prussia. That monarch was considered as principal. In the nature of things, as well as in his position with regard to the war, he was only an ally, and a new ally, with crossing interests in many particulars, and of a policy rather uncertain. At best, and supposing him to act with the greatest fidelity, the Emperor and the Empire to him must be but secondary objects. Countries out of Germany must affect him in a still more remote manner. France, other than from the fear of its doctrinal principles, can to him be no object at all. Accordingly, the Rhine, Sardinia, and the Swiss are left to their fate. The king of Prussia has no *direct* and immediate concern with France; *consequentially*, to be sure, a great deal: but the Emperor touches France *directly* in many parts; he

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is a near neighbor to Sardinia, by his Milanese territories; he borders on Switzerland; Cologne, possessed by his uncle, is between Mentz, Treves, and the king of Prussia's territories on the Lower Rhine. The Emperor is the natural guardian of Italy and Germany, — the natural balance against the ambition of France, whether republican or monarchical. His ministers and his generals, therefore, ought to have had their full share in every material consultation, — which I suspect they had not. If he has no minister capable of plans of policy which comprehend the superintendency of a war, or no general with the least of a political head, things have been as they must be. However, in all the parts of this strange proceeding there must be a secret.

It is probably known to ministers. I do not mean to penetrate into it. My speculations on this head must be only conjectural. If the king of Prussia, under the pretext or on the reality of some information relative to ill practice on the part of the court of Vienna, takes advantage of his being admitted into the heart of the Emperor's dominions in the character of an ally, afterwards to join the common enemy, and to enable France to seize the Netherlands, and to reduce and humble the Empire, I cannot conceive, upon every principle, anything more alarming for this country, separately, and as a part of the general system. After all, we may be looking in vain in the regions of politics for what is only the operation of temper and character upon accidental circumstances. But I never knew accidents to decide the *whole* of any great business; and I never knew temper to act, but that some system of politics agreeable to its peculiar spirit was blended with it,

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strengthened it, and got strength from it. Therefore the politics can hardly be put out of the question.

Great mistakes have been committed: at least I hope so. If there have been none, the case in future is desperate. I have endeavored to point out some of those which have occurred to me, and most of them very early.

Whatever may be the cause of the present state of things, on a full and mature view and comparison of the historical matter, of the transactions that have passed before our eyes, and of the future prospect, I think I am authorized to form an opinion without the least hesitation.

That there never was, nor is, nor ever will be, nor ever can be, the least rational hope of making an impression on France by any Continental powers, if England is not a part, is not the directing part, is not the soul, of the whole confederacy against it.

This, so far as it is an anticipation of future, is grounded on the whole tenor of former history. In speculation it is to be accounted for on two plain principles.

First, That Great Britain is likely to take a more fair and equal part in the alliance than the other powers, as having less of crossing interest or perplexed discussion with any of them.

Secondly, Because France cannot have to deal with any of these Continental sovereigns, without their feeling that nation, as a maritime power, greatly superior to them all put together, — a force which is only to be kept in check by England.

England, except during the eccentric aberration of Charles the Second, has always considered it as

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her duty and interest to take her place in such a confederacy. Her chief disputes must ever be with France; and if England shows herself indifferent and unconcerned, when these powers are combined against the enterprises of France, she is to look with certainty for the same indifference on the part of these powers, when she may be at war with that nation. This will tend totally to disconnect this kingdom from the system of Europe, in which if she ought not rashly to meddle, she ought never wholly to withdraw herself from it.

If, then, England is put in motion, whether by a consideration of the general safety, or of the influence of France upon Spain, or by the probable operations of this new system on the Netherlands, it must embrace in its project the whole as much as possible, and the part it takes ought to be as much as possible a leading and presiding part.

I therefore beg leave to suggest, —

First, That a minister should forthwith be sent to Spain, to encourage that court to persevere in the measures they have adopted against France, — to make a close alliance and guaranty of possessions, as against France, with that power, — and, whilst the formality of the treaty is pending, to assure them of our protection, postponing any lesser disputes to another occasion.

Secondly, To assure the court of Vienna of our desire to enter into our ancient connections with her, and to support her effectually in the war which France has declared against her.

Thirdly, To animate the Swiss and the king of Sardinia to take a part, as the latter once did on the principles of the Grand Alliance.

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Fourthly, To put an end to our disputes with Russia, and mutually to forget the past. I believe, if she is satisfied of this oblivion, she will return to her old sentiments with regard to this court, and will take a more forward part in this business than any other power.

Fifthly, If what has happened to the king of Prussia is only in consequence of a sort of panic or of levity, and an indisposition to persevere long in one design, the support and concurrence of Russia will tend to steady him, and to give him resolution. If he be ill-disposed, with that power on his back, and without one ally in Europe, I conceive he will not be easily led to derange the plan.

Sixthly, To use the joint influence of our court, and of our then allied powers, with Holland, to arm as fully as she can by sea, and to make some addition by land.

Seventhly, To acknowledge the king of France's next brother (assisted by such a council and such representatives of the kingdom of France as shall be thought proper) regent of France, and to send that prince a small supply of money, arms, clothing, and artillery.

Eighthly, To give force to these negotiations, an instant naval armament ought to be adopted, — one squadron for the Mediterranean, another for the Channel. The season is convenient, — most of our trade being, as I take it, at home.

After speaking of a plan formed upon the ancient policy and practice of Great Britain and of Europe, to which this is exactly conformable in every respect, with no deviation whatsoever, and which is, I conceive, much more strongly called for by the

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present circumstances than by any former, I must take notice of another, which I hear, but cannot persuade myself to believe, is in agitation. This plan is grounded upon the very same view of things which is here stated, — namely, the danger to all sovereigns, and old republics, from the prevalence of French power and influence.

It is, to form a congress of all the European powers for the purpose of a general defensive alliance, the objects of which should be, —

First, The recognition of this new republic, (which they well know is formed on the principles and for the declared purpose of the destruction of all kings,) and, whenever the heads of this new republic shall consent to release the royal captives, to make peace with them.

Secondly, To defend themselves with their joint forces against the open aggressions, or the secret practices, intrigues, and writings, which are used to propagate the French principles.

It is easy to discover from whose shop this commodity comes. It is so perfectly absurd, that, if that or anything like it meets with a serious entertainment in any cabinet, I should think it the effect of what is called a judicial blindness, the certain forerunner of the destruction of all crowns and kingdoms.

An *offensive* alliance, in which union is preserved by common efforts in common dangers against a common active enemy, may preserve its consistency, and may produce for a given time some considerable effect: though this is not easy, and for any very long period can hardly be expected. But a *defensive* alliance, formed of long discordant inter-

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ests, with innumerable discussions existing, having no one pointed object to which it is directed, which is to be held together with an unremitted vigilance, as watchful in peace as in war, is so evidently impossible, is such a chimera, is so contrary to human nature and the course of human affairs, that I am persuaded no person in his senses, except those whose country, religion, and sovereign are deposited in the French funds, could dream of it. There is not the slightest petty boundary suit, no difference between a family arrangement, no sort of misunderstanding or cross purpose between the pride and etiquette of courts, that would not entirely disjoint this sort of alliance, and render it as futile in its effects as it is feeble in its principle. But when we consider that the main drift of that defensive alliance must be to prevent the operation of intrigue, mischievous doctrine, and evil example, in the success of unprovoked rebellion, regicide, and systematic assassination and massacre, the absurdity of such a scheme becomes quite lamentable. Open the communication with France, and the rest follows of course.

How far the interior circumstances of this country support what is said with regard to its foreign politics must be left to better judgments. I am sure the French faction here is infinitely strengthened by the success of the assassins on the other side of the water. This evil in the heart of Europe must be extirpated from that centre, or no part of the circumference can be free from the mischief which radiates from it, and which will spread, circle beyond circle, in spite of all the little defensive precautions which can be employed against it.

I do not put my name to these hints submitted to



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the consideration of reflecting men. It is of too lit tle importance to suppose the name of the writer could add any weight to the state of things contained in this paper. That state of things presses irresistibly on my judgment, and it lies, and has long lain, with a heavy weight upon my mind. I cannot think that what is done in France is beneficial to the human race. If it were, the English Constitution ought no more to stand against it than the ancient Constitution of the kingdom in which the new system prevails. I thought it the duty of a man not unconcerned for the public, and who is a faithful subject to the king, respectfully to submit this state of facts, at this new step in the progress of the French arms and politics, to his Majesty, to his confidential servants, and to those persons who, though not in office, by their birth, their rank, their fortune, their character, and their reputation for wisdom, seem to me to have a large stake in the stability of the ancient order of things.

BATH, November 5, 1792.

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# REMARKS

ON

# THE POLICY OF THE ALLIES

## WITH RESPECT TO FRANCE.

BEGUN IN OCTOBER, 1793.

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## ON THE POLICY OF THE ALLIES.

AS the proposed manifesto is, I understand, to promulgate to the world the general idea of a plan for the regulation of a great kingdom, and through the regulation of that kingdom probably to decide the fate of Europe forever, nothing requires a more serious deliberation with regard to the time of making it, the circumstances of those to whom it is addressed, and the matter it is to contain.

As to the time, (with the due diffidence in my own opinion,) I have some doubts whether it is not rather unfavorable to the issuing any manifesto with regard to the intended government of France, and for this reason: that it is (upon the principal point of our attack) a time of calamity and defeat. Manifestoes of this nature are commonly made when the army of some sovereign enters into the enemy's country in great force, and under the imposing authority of that force employs menaces towards those whom he desires to awe, and makes promises to those whom he wishes to engage in his favor.

As to a party, what has been done at Toulon leaves no doubt that the party for which we declare must be that which substantially declares for royalty as the basis of the government.

As to menaces, nothing, in my opinion, can contribute more effectually to lower any sovereign in the

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public estimation, and to turn his defeats into disgraces, than to threaten in a moment of impotence. The second manifesto of the Duke of Brunswick appeared, therefore, to the world to be extremely ill-timed. However, if his menaces in that manifesto had been seasonable, they were not without an object. Great crimes then apprehended, and great evils then impending, were to be prevented. At this time, every act which early menaces might possibly have *prevented* is done. Punishment and vengeance alone remain, — and God forbid that they should ever be forgotten! But the punishment of enormous offenders will not be the less severe, or the less exemplary, when it is not threatened at a moment when we have it not in our power to execute our threats. On the other side, to pass by proceedings of such a nefarious nature, in all kinds, as have been carried on in France, without any signification of resentment, would be in effect to ratify them, and thus to become accessaries after the fact in all those enormities which it is impossible to repeat or think of without horror. An absolute silence appears to me to be at this time the only safe course.

The second usual matter of manifestoes is composed of *promises* to those who coöperate with our designs. These promises depend in a great measure, if not wholly, on the apparent power of the person who makes them to fulfil his engagements. A time of disaster on the part of the promiser seems not to add much to the dignity of his person or to the effect of his offers. One would hardly wish to seduce any unhappy persons to give the last provocation to a merciless tyranny, without very effectual means of protecting them.

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The time, therefore, seems (as I said) not favorable to a general manifesto, on account of the unpleasant situation of our affairs. However, I write in a changing scene, when a measure very imprudent to-day may be very proper to-morrow. Some great victory may alter the whole state of the question, so far as it regards our *power* of fulfilling any engagement we may think fit to make.

But there is another consideration of far greater importance for all the purposes of this manifesto. The public, and the parties concerned, will look somewhat to the disposition of the promiser indicated by his conduct, as well as to his power of fulfilling his engagements.

Speaking of this nation as part of a general combination of powers, are we quite sure that others can believe us to be sincere, or that we can be even fully assured of our own sincerity, in the protection of those who shall risk their lives for the restoration of monarchy in France, when the world sees that those who are the natural, legal, constitutional representatives of that monarchy, if it has any, have not had their names so much as mentioned in any one public act, that in no way whatever are their persons brought forward, that their rights have not been expressly or implicitly allowed, and that they have not been in the least consulted on the important interests they have at stake? On the contrary, they are kept in a state of obscurity and contempt, and in a degree of indigence at times bordering on beggary. They are, in fact, little less prisoners in the village of Hanau than the royal captives who are locked up in the tower of the Temple. What is this, according to the common indications which guide the judgment

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of mankind, but, under the pretext of protecting the crown of France, in reality to usurp it?

I am also very apprehensive that there are other circumstances which must tend to weaken the force of our declarations. No partiality to the allied powers can prevent great doubts on the fairness of our intentions as supporters of the crown of France, or of the true principles of legitimate government in opposition to Jacobinism, when it is visible that the two leading orders of the state of France, who are now the victims, and who must always be the true and sole supports of monarchy in that country, are, at best, in some of their descriptions, considered only as objects of charity, and others are, when employed, employed only as mercenary soldiers, — that they are thrown back out of all reputable service, are in a manner disowned, considered as nothing in their own cause, and never once consulted in the concerns of their king, their country, their laws, their religion, and their property. We even affect to be ashamed of them. In all our proceedings we carefully avoid the appearance of being of a party with them. In all our ideas of treaty we do not regard them as what they are, the two leading orders of the kingdom. If we do not consider them in that light, we must recognize the savages by whom they have been ruined, and who have declared war upon Europe, whilst they disgrace and persecute human nature, and openly defy the God that made them, as real proprietors of France.

I am much afraid, too, that we shall scarcely be believed fair supporters of lawful monarchy against Jacobinism, so long as we continue to make and to observe cartels with the Jacobins, and on fair terms

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exchange prisoners with them, whilst the Royalists, invited to our standard, and employed under our public faith against the Jacobins, if taken by that savage faction, are given up to the executioner without the least attempt whatsoever at reprisal. For this we are to look at the king of Prussia's conduct, compared with his manifestoes about a twelvemonth ago. For this we are to look at the capitulations of Mentz and Valenciennes, made in the course of the present campaign. By these two capitulations the Christian Royalists were excluded from any participation in the cause of the combined powers. They were considered as the outlaws of Europe. Two armies were in effect sent against them. One of those armies (that which surrendered Mentz) was very near overpowering the Christians of Poitou, and the other (that which surrendered at Valenciennes) has actually crushed the people whom oppression and despair had driven to resistance at Lyons, has massacred several thousands of them in cold blood, pillaged the whole substance of the place, and pursued their rage to the very houses, condemning that noble city to desolation, in the unheard-of manner we have seen it devoted.

It is, then, plain, by a conduct which overturns a thousand declarations, that we take the Royalists of France only as an instrument of some convenience in a temporary hostility with the Jacobins, but that we regard those atheistic and murderous barbarians as the *bonâ fide* possessors of the soil of France. It appears, at least, that we consider them as a fair government *de facto*, if not *de jure*, a resistance to which, in favor of the king of France, by any man who happened to be born within that country, might equita-

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bly be considered by other nations as the crime of treason.

For my part, I would sooner put my hand into the fire than sign an invitation to oppressed men to fight under my standard, and then, on every sinister event of war, cruelly give them up to be punished as the basest of traitors, as long as I had one of the common enemy in my hands to be put to death in order to secure those under my protection, and to vindicate the common honor of sovereigns. We hear nothing of this kind of security in favor of those whom we invite to the support of our cause. Without it, I am not a little apprehensive that the proclamations of the combined powers might (contrary to their intention, no doubt) be looked upon as frauds, and cruel traps laid for their lives.

So far as to the correspondence between our declarations and our conduct: let the declaration be worded as it will, the conduct is the practical comment by which, and which alone, it can be understood. This conduct, acting on the declaration, leaves a monarchy without a monarch, and without any representative or trustee for the monarch and the monarchy. It supposes a kingdom without states and orders, a territory without proprietors, and faithful subjects who are to be left to the fate of rebels and traitors.

The affair of the establishment of a government is a very difficult undertaking for foreign powers to act in as *principals;* though as *auxiliaries and mediators* it has been not at all unusual, and may be a measure full of policy and humanity and true dignity.

The first thing we ought to do, supposing us not giving the law as conquerors, but acting as friendly

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powers applied to for counsel and assistance in the settlement of a distracted country, is well to consider the composition, nature, and temper of its objects, and particularly of those who actually do or who ought to exercise power in that state. It is material to know who they are, and how constituted, whom we consider as *the people of France.*

The next consideration is, through whom our arrangements are to be made, and on what principles the government we propose is to be established.

The first question on the people is this: Whether we are to consider the individuals *now actually in France, numerically taken and arranged into Jacobin clubs*, as the body politic, constituting the nation of France, — or whether we consider the original individual proprietors of lands, expelled since the Revolution, and the states and the bodies politic, such as the colleges of justice called Parliaments, the corporations, noble and not noble, of bailliages and towns and cities, the bishops and the clergy, as the true constituent parts of the nation, and forming the legally organized parts of the people of France.

In this serious concern it is very necessary that we should have the most distinct ideas annexed to the terms we employ; because it is evident that an abuse of the term *people* has been the original, fundamental cause of those evils, the cure of which, by war and policy, is the present object of all the states of Europe.

If we consider the acting power in France, in any legal construction of public law, as the people, the question is decided in favor of the republic one and indivisible. But we have decided for monarchy. If so, we have a king and subjects; and that king and

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subjects have rights and privileges which ought to be supported at home: for I do not suppose that the government of that kingdom can or ought to be regulated by the arbitrary mandate of a foreign confederacy.

As to the faction exercising power, to suppose that monarchy can be supported by principled regicides, religion by professed atheists, order by clubs of Jacobins, property by committees of proscription, and jurisprudence by revolutionary tribunals, is to be sanguine in a degree of which I am incapable. On them I decide, for myself, that these persons are not the legal corporation of France, and that it is not with them we can (if we would) settle the government of France.

Since, then, we have decided for monarchy in that kingdom, we ought also to settle who is to be the monarch, who is to be the guardian of a minor, and how the monarch and monarchy is to be modified and supported; if the monarch is to be elected, who the electors are to be, — if hereditary, what order is established, corresponding with an hereditary monarchy, and fitted to maintain it; who are to modify it in its exercise; who are to restrain its powers, where they ought to be limited, to strengthen them, where they are to be supported, or, to enlarge them, where the object, the time, and the circumstances may demand their extension. These are things which, in the outline, ought to be made distinct and clear; for if they are not, (especially with regard to those great points, who are the proprietors of the soil, and what is the corporation of the kingdom,) there is nothing to hinder the complete establishment of a Jacobin republic, (such as that formed in 1790 and

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1791,) under the name of a *Démocratie Royale.* Jacobinism does not consist in the having or not having a certain pageant under the name of a king, but "in taking the people as equal individuals, without any corporate name or description, without attention to property, without division of powers, and forming the government of delegates from a number of men so constituted, — in destroying or confiscating property, and bribing the public creditors, or the poor, with the spoils, now of one part of the community, now of another, without regard to prescription or possession."

I hope no one can be so very blind as to imagine that monarchy can be acknowledged and supported in France upon any other basis than that of its property, *corporate and individual,* — or that it can enjoy a moment's permanence or security upon any scheme of things which sets aside all the ancient corporate capacities and distinctions of the kingdom, and subverts the whole fabric of its ancient laws and usages, political, civil, and religious, to introduce a system founded on the supposed *rights of man, and the absolute equality of the human race.* Unless, therefore, we declare clearly and distinctly in favor of the *restoration* of property, and confide to the hereditary property of the kingdom the limitation and qualifications of its hereditary monarchy, the blood and treasure of Europe is wasted for the establishment of Jacobinism in France. There is no doubt that Danton and Robespierre, Chaumette and Barère, that Condorcet, that Thomas Paine, that La Fayette, and the ex-Bishop of Autun, the Abbé Grégoire, with all the gang of the Sieyèses, the Henriots, and the Santerres, if they could secure themselves in the fruits of their rebel-

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lion and robbery, would be perfectly indifferent, whether the most unhappy of all infants, whom by the lessons of the shoemaker, his governor and guardian, they are training up studiously and methodically to be an idiot, or, what is worse, the most wicked and base of mankind, continues to receive his civic education in the Temple or the Tuileries, whilst they, and such as they, really govern the kingdom.

It cannot be too often and too strongly inculcated, that monarchy and property must, in France, go together, or neither can exist. To think of the possibility of the existence of a permanent and hereditary royalty, *where nothing else is hereditary or permanent in point either of personal or corporate dignity*, is a ruinous chimera, worthy of the Abbé Sieyès, and those wicked fools, his associates, who usurped power by the murders of the 19th of July and the 6th of October, 1789, and who brought forth the monster which they called *Démocratie Royale*, or the Constitution.

I believe that most thinking men would prefer infinitely some sober and sensible form of a republic, in which there was no mention at all of a king, but which held out some reasonable security to property, life, and personal freedom, to a scheme of things like this *Démocratie Royale*, founded on impiety, immorality, fraudulent currencies, the confiscation of innocent individuals, and the pretended rights of man, — and which, in effect, excluding the whole body of the nobility, clergy, and landed property of a great nation, threw everything into the hands of a desperate set of obscure adventurers, who led to every mischief a blind and bloody band of *sans-culottes*. At the head, or rather at the tail, of this sys-

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tem was a miserable pageant, as its ostensible instrument, who was to be treated with every species of indignity, till the moment when he was conveyed from the palace of contempt to the dungeon of horror, and thence led by a brewer of his capital, through the applauses of an hired, frantic, drunken multitude, to lose his head upon a scaffold

This is the Constitution, or *Démocratie Royale;* and this is what infallibly would be again set up in France, to run exactly the same round, if the predominant power should so far be forced to submit as to receive the name of a king, leaving it to the Jacobins (that is, to those who have subverted royalty and destroyed property) to modify the one and to distribute the other as spoil. By the Jacobins I mean indiscriminately the Brissotins and the Maratists, knowing no sort of difference between them. As to any other party, none exists in that unhappy country. The Royalists (those in Poitou excepted) are banished and extinguished; and as to what they call the Constitutionalists, or *Démocrates Royaux*, they never had an existence of the smallest degree of power, consideration, or authority, nor, if they differ at all from the rest of the atheistic banditti, (which from their actions and principles I have no reason to think,) were they ever any other than the temporary tools and instruments of the more determined, able, and systematic regicides. Several attempts have been made to support this chimerical *Démocratie Royale:* the first was by La Fayette; the last by Dumouriez: they tended only to show that this absurd project had no party to support it. The Girondists under Wimpfen, and at Bordeaux, have made some

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struggle. The Constitutionalists never could make any, and for a very plain reason: they were *leaders in rebellion.* All their principles and their whole scheme of government being republican, they could never excite the smallest degree of enthusiasm in favor of the unhappy monarch, whom they had rendered contemptible, to make him the executive officer in their new commonwealth. They only appeared as traitors to their own Jacobin cause, not as faithful adherents to the king.

In an address to France, in an attempt to treat with it, or in considering any scheme at all relative to it, it is impossible we should mean the geographical, we must always mean the moral and political country. I believe we shall be in a great error, if we act upon an idea that there exists in that country any organized body of men who might be willing to treat on equitable terms for the restoration of their monarchy, but who are nice in balancing those terms, and who would accept such as to them appeared reasonable, but who would quietly submit to the predominant power, if they were not gratified in the fashion of some constitution which suited with their fancies.

I take the state of France to be totally different. I know of no such body, and of no such party. So far from a combination of twenty men, (always excepting Poitou,) I never yet heard that *a single man* could be named of sufficient force or influence to answer for another man, much less for the smallest district in the country, or for the most incomplete company of soldiers in the army. We see every man that the Jacobins choose to apprehend taken up in his village or in his house, and conveyed to prison

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without the least shadow of resistance, — *and this indifferently*, whether he is suspected of Royalism, or Federalism, Moderantism, Democracy Royal, or any other of the names of faction which they start by the hour. What is much more astonishing, (and, if we did not carefully attend to the genius and circumstances of this Revolution, must indeed appear incredible,) all their most accredited military men, from a generalissimo to a corporal, may be arrested, (each in the midst of his camp, and covered with the laurels of accumulated victories,) tied neck and heels, thrown into a cart, and sent to Paris to be disposed of at the pleasure of the Revolutionary tribunals.

No individual influence, civil or military.

As no individuals have power and influence, so there are no corporations, whether of lawyers or burghers, existing. The Assembly called Constituent, destroyed all such institutions very early. The primary and secondary assemblies, by their original constitution, were to be dissolved when they answered the purpose of electing the magistrates, and were expressly disqualified from performing any corporate act whatsoever. The transient magistrates have been almost all removed before the expiration of their terms, and new have been lately imposed upon the people without the form or ceremony of an election. These magistrates during their existence are put under, as all the executive authorities are from first to last, the popular societies (called Jacobin clubs) of the several countries, and this by an express order of the National Convention: it is even made a case of death to oppose or attack those clubs. They, too, have been lately subjected to an expurgatory scrutiny, to drive

No corporations of justice, commerce, or police.



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out from them everything savoring of what they call the crime of *moderantism*, of which offence, however, few were guilty. But as people began to take refuge from their persecutions amongst themselves, they have driven them from that last asylum.

The state of France is perfectly simple. It consists of but two descriptions, — the oppressors and the oppressed.

The first has the whole authority of the state in their hands, — all the arms, all the revenues of the public, all the confiscations of individuals and corporations. They have taken the lower sort from their occupations and have put them into pay, that they may form them into a body of janizaries to overrule and awe property. The heads of these wretches they never suffer to cool. They supply them with a food for fury varied by the day, — besides the sensual state of intoxication, from which they are rarely free. They have made the priests and people formally abjure the Divinity; they have estranged them from every civil, moral, and social, or even natural and instinctive sentiment, habit, and practice, and have rendered them systematically savages, to make it impossible for them to be the instruments of any sober and virtuous arrangement, or to be reconciled to any state of order, under any name whatsoever.

The other description — *the oppressed* — are people of some property: they are the small relics of the persecuted landed interest; they are the burghers and the farmers. By the very circumstance of their being of some property, though numerous in some points of view, they cannot be very considerable as *a number*. In cities the nature of their occupations

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renders them domestic and feeble; in the country it confines them to their farm for subsistence. The national guards are all changed and reformed. Everything suspicious in the description of which they were composed is rigorously disarmed. Committees, called of vigilance and safety, are everywhere formed: a most severe and scrutinizing inquisition, far more rigid than anything ever known or imagined. Two persons cannot meet and confer without hazard to their liberty, and even to their lives. Numbers scarcely credible have been executed, and their property confiscated. At Paris, and in most other towns, the bread they buy is a daily dole, — which they cannot obtain without a daily ticket delivered to them by their masters. Multitudes of all ages and sexes are actually imprisoned. I have reason to believe that in France there are not, for various state crimes, so few as twenty thousand * actually in jail, — a large proportion of people of property in any state. If a father of a family should show any disposition to resist or to withdraw himself from their power, his wife and children are cruelly to answer for it. It is by means of these hostages that they keep the troops, which they force by masses (as they call it) into the field, true to their colors.

Another of their resources is not to be forgotten. They have lately found a way of giving a sort of ubiquity to the supreme sovereign authority, which no monarch has been able yet to give to any representation of his.

The commissioners of the National Convention, who are the members of the Convention itself, and really exercise all its powers, make continual circuits

* Some accounts make them five times as many.

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through every province, and visits to every army. There they supersede all the ordinary authorities, civil and military, and change and alter everything at their pleasure. So that, in effect, no deliberative capacity exists in any portion of the inhabitants.

Toulon, republican in principle, having taken its decision *in a moment under the guillotine*, and before the arrival of these commissioners, — Toulon, being a place regularly fortified, and having in its bosom a navy in part highly discontented, has escaped, though by a sort of miracle: and it would not have escaped, if two powerful fleets had not been at the door, to give them not only strong, but prompt and immediate succor, especially as neither this nor any other seaport town in France can be depended on, from the peculiarly savage dispositions, manners, and connections among the lower sort of people in those places. This I take to be the true state of things in France, *so far as it regards any existing bodies, whether of legal or voluntary association, capable of acting or of treating in corps.*

As to the oppressed *individuals*, they are many, and as discontented as men must be under the monstrous and complicated tyranny of all sorts with which they are crushed. They want no stimulus to throw off this dreadful yoke; but they do want, not manifestoes, which they have had even to surfeit, but real protection, force, and succor.

The disputes and questions of men at their ease do not at all affect their minds, or ever can occupy the minds of men in their situation. These theories are long since gone by; they have had their day, and have done their mischief. The question is not between the rabble of systems, Fayettism, Condorcet-

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ism, Monarchism, or Democratism, or Federalism, on the one side, and the fundamental laws of France on the other, — or between all these systems amongst themselves. It is a controversy (weak, indeed, and unequal, on the one part) between the proprietor and the robber, between the prisoner and the jailer, between the neck and the guillotine. Four fifths of the French inhabitants would thankfully take protection from the emperor of Morocco, and would never trouble their heads about the abstract principles of the power by which they were snatched from imprisonment, robbery, and murder. But then these men can do little or nothing for themselves. They have no arms, nor magazines, nor chiefs, nor union, nor the possibility of these things within themselves. On the whole, therefore, I lay it down as a certainty, that in the Jacobins no change of mind is to be expected, and that no others in the territory of France have an independent and deliberative existence.

The truth is, that France is out of itself, — the moral France is separated from the geographical. The master of the house is expelled, and the robbers are in possession. If we look for the *corporate people* of France, existing as corporate in the eye and intention of public law, (that corporate people, I mean, who are free to deliberate and to decide, and who have a capacity to treat and conclude,) they are in Flanders, and Germany, in Switzerland, Spain, Italy, and England. There are all the princes of the blood, there are all the orders of the state, there are all the parliaments of the kingdom.

This being, as I conceive, the true state of France, as it exists *territorially*, and as it exists *morally*, the

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question will be, with whom we are to concert our arrangements, and whom we are to use as our instruments in the reduction, in the pacification, and in the settlement of France. The work to be done must indicate the workmen. Supposing us to have national objects, we have two principal and one secondary. The first two are so intimately connected as not to be separated even in thought: the reëstablishment of royalty, and the reëstablishment of property. One would think it requires not a great deal of argument to prove that the most serious endeavors to restore royalty will be made by Royalists. Property will be most energetically restored by the ancient proprietors of that kingdom.

When I speak of Royalists, I wish to be understood of those who were always such from principle. Every arm lifted up for royalty from the beginning was the arm of a man so principled. I do not think there are ten exceptions.

The principled Royalists are certainly not of force to effect these objects by themselves. If they were, the operations of the present great combination would be wholly unnecessary. What I contend for is, that they should be consulted with, treated with, and employed; and that no foreigners whatsoever are either in interest so engaged, or in judgment and local knowledge so competent to answer all these purposes, as the natural proprietors of the country.

Their number, for an exiled party, is also considerable. Almost the whole body of the landed proprietors of France, ecclesiastical and civil, have been steadily devoted to the monarchy. This body does not amount to less than seventy thousand, — a very great number in the composition of the respectable

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classes in any society. I am sure, that, if half that number of the same description were taken out of this country, it would leave hardly anything that I should call the people of England. On the faith of the Emperor and the king of Prussia, a body of ten thousand nobility on horseback, with the king's two brothers at their head, served with the king of Prussia in the campaign of 1792, and equipped themselves with the last shilling of their ruined fortunes and exhausted credit.* It is not now the question, how that great force came to be rendered useless and totally dissipated. I state it now, only to remark that a great part of the same force exists, and would act, if it were enabled. I am sure everything has shown us that in this war with France one Frenchman is worth twenty foreigners. La Vendée is a proof of this.

If we wish to make an impression on the minds of any persons in France, or to persuade them to join our standard, it is impossible that they should not be more easily led, and more readily formed and disciplined, (civilly and martially disciplined,) by those who speak their language, who are acquainted with their manners, who are conversant with their usages and habits of thinking, and who have a local knowledge of their country, and some remains of ancient credit and consideration, than with a body con-

* Before the Revolution, the French noblesse were so reduced in numbers that they did not much exceed twenty thousand at least of full-grown men. As they have been very cruelly formed into entire corps of soldiers, it is estimated, that, by the sword, and distempers in the field, they have not lost less than five thousand men; and if this course is pursued, it is to be feared that the whole body of the French nobility may be extinguished. Several hundreds have also perished by famine, and various accidents.

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gregated from all tongues and tribes. Where none of the respectable native interests are seen in the transaction, it is impossible that any declarations can convince those that are within, or those that are without, that anything else than some sort of hostility in the style of a conqueror is meant. At best, it will appear to such wavering persons, (if such there are,) whom we mean to fix with us, a choice whether they are to continue a prey to domestic banditti, or to be fought for as a carrion carcass and picked to the bone by all the crows and vultures of the sky. They may take protection, (and they would, I doubt not,) but they can have neither alacrity nor zeal in such a cause. When they see nothing but bands of English, Spaniards, Neapolitans, Sardinians, Prussians, Austrians, Hungarians, Bohemians, Slavonians, Croatians, *acting as principals*, it is impossible they should think we come with a beneficent design. Many of those fierce and barbarous people have already given proofs how little they regard any French party whatsoever. Some of these nations the people of France are jealous of: such are the English and the Spaniards; — others they despise: such are the Italians; — others they hate and dread: such are the German and Danubian powers. At best, such interposition of ancient enemies excites apprehension; but in this case, how can they suppose that we come to maintain their legitimate monarchy in a truly paternal French government, to protect their privileges, their laws, their religion, and their property, when they see us make use of no one person who has any interest in them, any knowledge of them, or any the least zeal for them? On the contrary, they see that we do not suffer any of those who have shown a zeal

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in that cause which we seem to make our own to come freely into any place in which the allies obtain any footing.

If we wish to gain upon any people, it is right to see what it is they expect. We have had a proposal from the Royalists of Poitou. They are well entitled, after a bloody war maintained for eight months against all the powers of anarchy, to speak the sentiments of the Royalists of France. Do they desire us to exclude their princes, their clergy, their nobility? The direct contrary. They earnestly solicit that men of every one of these descriptions should be sent to them. They do not call for English, Austrian, or Prussian officers. They call for French emigrant officers. They call for the exiled priests. They have demanded the Comte d'Artois to appear at their head. These are the demands (quite natural demands) of those who are ready to follow the standard of monarchy.

The great means, therefore, of restoring the monarchy, which we have made *the main object of the war*, is, to assist the dignity, the religion, and the property of France to repossess themselves of the means of their natural influence. This ought to be the primary object of all our politics and all our military operations. Otherwise everything will move in a preposterous order, and nothing but confusion and destruction will follow.

I know that misfortune is not made to win respect from ordinary minds. I know that there is a leaning to prosperity, however obtained, and a prejudice in its favor. I know there is a disposition to hope something from the variety and inconstancy of villany, rather than from the tiresome uniformity of fixed

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principle. There have been, I admit, situations in which a guiding person or party might be gained over, and through him or them the whole body of a nation. For the hope of such a conversion, and of deriving advantage from enemies, it might be politic for a while to throw your friends into the shade. But examples drawn from history in occasions like the present will be found dangerously to mislead us. France has no resemblance to other countries which have undergone troubles and been purified by them. If France, Jacobinized as it has been for four full years, did contain any bodies of authority and disposition to treat with you, (most assuredly she does not,) such is the levity of those who have expelled everything respectable in their country, such their ferocity, their arrogance, their mutinous spirit, their habits of defying everything human and divine, that no engagement would hold with them for three months; nor, indeed, could they cohere together for any purpose of civilized society, if left as they now are. There must be a means, not only of breaking their strength within themselves, but of *civilizing* them; and these two things must go together, before we can possibly treat with them, not only as a nation, but with any division of them. Descriptions of men of their own race, but better in rank, superior in property and decorum, of honorable, decent, and orderly habits, are absolutely necessary to bring them to such a frame as to qualify them so much as to come into contact with a civilized nation. A set of those ferocious savages with arms in their hands, left to themselves in one part of the country whilst you proceed to another, would break forth into outrages at least as bad as their former. They must, as fast

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as gained, (if ever they are gained,) be put under the guide, direction, and government of better Frenchmen than themselves, or they will instantly relapse into a fever of aggravated Jacobinism.

We must not judge of other parts of France by the temporary submission of Toulon, with two vast fleets in its harbor, and a garrison far more numerous than all the inhabitants able to bear arms. If they were left to themselves, I am quite sure they would not retain their attachment to monarchy of any name for a single week.

To administer the only cure for the unheard-of disorders of that undone country, I think it infinitely happy for us that God has given into our hands more effectual remedies than human contrivance could point out. We have in our bosom, and in the bosom of other civilized states, nearer forty than thirty thousand persons, providentially preserved, not only from the cruelty and violence, but from the contagion of the horrid practices, sentiments, and language of the Jacobins, and even sacredly guarded from the view of such abominable scenes. If we should obtain, in any considerable district, a footing in France, we possess an immense body of physicians and magistrates of the mind, whom we now know to be the most discreet, gentle, well-tempered, conciliatory, virtuous, and pious persons who in any order probably existed in the world. You will have a missioner of peace and order in every parish. Never was a wiser national economy than in the charity of the English and of other countries. Never was money better expended than in the maintenance of this body of civil troops for reëstablishing order in France, and for thus securing its civilization to Eu-

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rope. This means, if properly used, is of value inestimable.

Nor is this corps of instruments of civilization confined to the first order of that state, — I mean the clergy. The allied powers possess also an exceedingly numerous, well-informed, sensible, ingenious, high-principled, and spirited body of cavaliers in the expatriated landed interest of France, as well qualified, at least, as I (who have been taught by time and experience to moderate my calculation of the expectancy of human abilities) ever expected to see in the body of any landed gentlemen and soldiers by their birth. France is well winnowed and sifted. Its virtuous men are, I believe, amongst the most virtuous, as its wicked are amongst the most abandoned upon earth. Whatever in the territory of France may be found to be in the middle between these must be attracted to the better part. This will be compassed, when every gentleman, everywhere being restored to his landed estate, each on his patrimonial ground, may join the clergy in reanimating the loyalty, fidelity, and religion of the people, — that these gentlemen proprietors of land may sort that people according to the trust they severally merit, that they may arm the honest and well-affected, and disarm and disable the factious and ill-disposed. No foreigner can make this discrimination nor these arrangements. The ancient corporations of burghers according to their several modes should be restored, and placed (as they ought to be) in the hands of men of gravity and property in the cities or bailliages, according to the proper constitutions of the commons or third estate of France. They will restrain and regulate the seditious rabble there, as the gentlemen will on their

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own estates. In this way, and *in this way alone*, the country (once broken in upon by foreign force well directed) may be gained and settled. It must be gained and settled by *itself*, and through the medium of its *own* native dignity and property. It is not honest, it is not decent, still less is it politic, for foreign powers themselves to attempt anything in this minute, internal, local detail, in which they could show nothing but ignorance, imbecility, confusion, and oppression. As to the prince who has a just claim to exercise the regency of France, like other men he is not without his faults and his defects. But faults or defects (always supposing them faults of common human infirmity) are not what in any country destroy a legal title to government. These princes are kept in a poor, obscure, country town of the king of Prussia's. Their reputation is entirely at the mercy of every calumniator. They cannot show themselves, they cannot explain themselves, as princes ought to do. After being well informed as any man here can be, I do not find that these blemishes in this eminent person are at all considerable, or that they at all affect a character which is full of probity, honor, generosity, and real goodness. In some points he has but too much resemblance to his unfortunate brother, who, with all his weaknesses, had a good understanding, and many parts of an excellent man and a good king. But Monsieur, without supposing the other deficient, (as he was not,) excels him in general knowledge, and in a sharp and keen observation, with something of a better address, and an happier mode of speaking and of writing. His conversation is open, agreeable, and informed; his manners gracious and princely.

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His brother, the Comte d'Artois, sustains still better the representation of his place. He is eloquent, lively, engaging in the highest degree, of a decided character, full of energy and activity. In a word, he is a brave, honorable, and accomplished cavalier. Their brethren of royalty, if they were true to their own cause and interest, instead of relegating these illustrious persons to an obscure town, would bring them forward in their courts and camps, and exhibit them to (what they would speedily obtain) the esteem, respect, and affection of mankind.

Objection made to the regent's endeavor to go to Spain.

As to their knocking at every door, (which seems to give offence,) can anything be more natural? Abandoned, despised, rendered in a manner outlaws by all the powers of Europe, who have treated their unfortunate brethren with all the giddy pride and improvident insolence of blind, unfeeling prosperity, who did not even send them a compliment of condolence on the murder of their brother and sister, in such a state is it to be wondered at, or blamed, that they tried every way, likely or unlikely, well or ill chosen, to get out of the horrible pit into which they are fallen, and that in particular they tried whether the princes of their own blood might at length be brought to think the cause of kings, and of kings of their race, wounded in the murder and exile of the branch of France, of as much importance as the killing of a brace of partridges? If they were absolutely idle, and only eat in sloth their bread of sorrow and dependence, they would be forgotten, or at best thought of as wretches unworthy of their pretensions, which they had done nothing to support. If they err from *our* interests, what care has been taken to keep them in those in-

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terests? or what desire has ever been shown to employ them in any other way than as instruments of their own degradation, shame, and ruin?

The Parliament of Paris, by whom the title of the regent is to be recognized, (not made,) according to the laws of the kingdom, is ready to recognize it, and to register it, if a place of meeting was given to them, which might be within their own jurisdiction, supposing that only locality was required for the exercise of their functions: for it is one of the advantages of monarchy to have no local seat. It may maintain its rights out of the sphere of its territorial jurisdiction, if other powers will suffer it.

I am well apprised that the little intriguers, and whisperers, and self-conceited, thoughtless babblers, worse than either, run about to depreciate the fallen virtue of a great nation. But whilst they talk, we must make our choice, — they or the Jacobins. We have no other option. As to those who in the pride of a prosperity not obtained by their wisdom, valor, or industry, think so well of themselves, and of their own abilities and virtues, and so ill of other men, truth obliges me to say that they are not founded in their presumption concerning themselves, nor in their contempt of the French princes, magistrates, nobility, and clergy. Instead of inspiring me with dislike and distrust of the unfortunate, engaged with us in a common cause against our Jacobin enemy, they take away all my esteem for their own characters, and all my deference to their judgment.

There are some few French gentlemen, indeed, who talk a language not wholly different from this jargon. Those whom I have in my eye I respect as gallant soldiers, as much as any one can do; but on their

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political judgment and prudence I have not the slightest reliance, nor on their knowledge of their own country, or of its laws and Constitution. They are, if not enemies, at least not friends, to the orders of their own state, — not to the princes, the clergy, or the nobility; they possess only an attachment to the monarchy, or rather to the persons of the late king and queen. In all other respects their conversation is Jacobin. I am afraid they, or some of them, go into the closets of ministers, and tell them that the affairs of France will be better arranged by the allied powers than by the landed proprietors of the kingdom, or by the princes who have a right to govern; and that, if any French are at all to be employed in the settlement of their country, it ought to be only those who have never declared any decided opinion, or taken any active part in the Revolution.*

I suspect that the authors of this opinion are mere soldiers of fortune, who, though men of integrity and honor, would as gladly receive military rank from Russia, or Austria, or Prussia, as from the regent of France. Perhaps their not having as much importance at his court as they could wish may incline them to this strange imagination. Perhaps, having no property in old France, they are more indifferent about its restoration. Their language is certainly flattering to all ministers in all courts. We all are men; we all love to be told of the extent of our own power and our own faculties. If we love glory, we are jealous of partners, and afraid even of our own instruments. It is of all modes of flattery the most effectual, to be told that you can regulate the affairs of another kingdom better than its hereditary proprie-

* This was the language of the Ministerialists.

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tors. It is formed to flatter the principle of conquest so natural to all men. It is this principle which is now making the partition of Poland. The powers concerned have been told by some perfidious Poles, and perhaps they believe, that their usurpation is a great benefit to the people, especially to the common people. However this may turn out with regard to Poland, I am quite sure that France could not be so well under a foreign direction as under that of the representatives of its own king and its own ancient estates.

I think I have myself studied France as much as most of those whom the allied courts are likely to employ in such a work. I have likewise of myself as partial and as vain an opinion as men commonly have of themselves. But if I could command the whole military arm of Europe, I am sure that a bribe of the best province in that kingdom would not tempt me to intermeddle in their affairs, except in perfect concurrence and concert with the natural, legal interests of the country, composed of the ecclesiastical, the military, the several corporate bodies of justice and of burghership, making under a monarch (I repeat it again and again) *the French nation according to its fundamental Constitution.* No considerate statesman would undertake to meddle with it upon any other condition.

The government of that kingdom is fundamentally monarchical. The public law of Europe has never recognized in it any other form of government. The potentates of Europe have, by that law, a right, an interest, and a duty to know with what government they are to treat, and what they are to admit into the federative society, — or, in other words, into the diplo-



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matic republic of Europe. This right is clear and indisputable.

What other and further interference they have a right to in the interior of the concerns of another people is a matter on which, as on every political subject, no very definite or positive rule can well be laid down. Our neighbors are men; and who will attempt to dictate the laws under which it is allowable or forbidden to take a part in the concerns of men, whether they are considered individually or in a collective capacity, whenever charity to them, or a care of my own safety, calls forth my activity? Circumstances perpetually variable, directing a moral prudence and discretion, the *general* principles of which never vary, must alone prescribe a conduct fitting on such occasions. The latest casuists of public law are rather of a republican cast, and, in my mind, by no means so averse as they ought to be to a right in the people (a word which, ill defined, is of the most dangerous use) to make changes at their pleasure in the fundamental laws of their country. These writers, however, when a country is divided, leave abundant liberty for a neighbor to support any of the parties according to his choice.* This interference must, indeed, always be a right, whilst the privilege of doing good to others, and of averting from them every sort of evil, is a right: circumstances may render that right a duty. It depends wholly on this, whether it be a *bonâ fide* charity to a party, and a prudent precaution with regard to yourself, or whether, under the pretence of aiding one of the parties in a nation, you act in such a manner as to aggravate its calamities and accomplish its final destruction. In truth,

* Vattel.

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it is not the interfering or keeping aloof, but iniquitous intermeddling, or treacherous inaction, which is praised or blamed by the decision of an equitable judge.

It will be a just and irresistible presumption against the fairness of the interposing power, that he takes with him no party or description of men in the divided state. It is not probable that these parties should all, and all alike, be more adverse to the true interests of their country, and less capable of forming a judgment upon them, than those who are absolute strangers to their affairs, and to the character of the actors in them, and have but a remote, feeble, and secondary sympathy with their interest. Sometimes a calm and healing arbiter may be necessary; but he is to compose differences, not to give laws. It is impossible that any one should not feel the full force of that presumption. Even people, whose politics for the supposed good of their own country lead them to take advantage of the dissensions of a neighboring nation in order to ruin it, will not directly propose to exclude the natives, but they will take that mode of consulting and employing them which most nearly approaches to an exclusion. In some particulars they propose what amounts to that exclusion, in others they do much worse. They recommend to ministry, "that no Frenchman who has given a decided opinion or acted a decided part in this great Revolution, for or against it, should be countenanced, brought forward, trusted, or employed, even in the strictest subordination to the ministers of the allied powers." Although one would think that this advice would stand condemned on the first proposition, yet, as it has been made popular, and has been proceeded upon

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practically, I think it right to give it a full consideration.

And first, I have asked myself who these Frenchmen are, that, in the state their own country has been in for these last five years, of all the people of Europe, have alone not been able to form a decided opinion, or have been unwilling to act a decided part?

Looking over all the names I have heard of in this great revolution in all human affairs, I find no man of any distinction who has remained in that more than Stoical apathy, but the Prince de Conti. This mean, stupid, selfish, swinish, and cowardly animal, universally known and despised as such, has indeed, except in one abortive attempt to elope, been perfectly neutral. However, his neutrality, which it seems would qualify him for trust, and on a competition must set aside the Prince de Condé, can be of no sort of service. His moderation has not been able to keep him from a jail. The allied powers must draw him from that jail, before they can have the full advantage of the exertions of this great neutralist.

Except him, I do not recollect a man of rank or talents, who by his speeches or his votes, by his pen or by his sword, has not been active on this scene. The time, indeed, could admit no neutrality in any person worthy of the name of man. There were originally two great divisions in France: the one is that which overturned the whole of the government in Church and State, and erected a republic on the basis of atheism. Their grand engine was the Jacobin Club, a sort of secession from which, but exactly on the same principles, begat another short-lived one,

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called the Club of Eighty-Nine,* which was chiefly guided by the court rebels, who, in addition to the crimes of which they were guilty in common with the others, had the merit of betraying a gracious master and a kind benefactor. Subdivisions of this faction, which since we have seen, do not in the least differ from each other in their principles, their dispositions, or the means they have employed. Their only quarrel has been about power: in that quarrel, like wave succeeding wave, one faction has got the better and expelled the other. Thus, La Fayette for a while got the better of Orléans; and Orléans afterwards prevailed over La Fayette. Brissot overpowered Orléans; Barère and Robespierre, and their faction, mastered them both, and cut off their heads. All who were not Royalists have been listed in some or other of these divisions. If it were of any use to settle a precedence, the elder ought to have his rank. The first authors, plotters, and contrivers of this monstrous scheme seem to me entitled to the first place in our distrust and abhorrence. I have seen some of those who are thought the best amongst the original rebels, and I have not neglected the means of being informed concerning the others. I can very truly say, that I have not found, by observation, or inquiry, that any sense of the evils produced by their projects has produced in them, or any *one* of them, the smallest degree of repentance. Disappointment and mortification undoubtedly they feel; but to them repentance is a thing impossible. They are atheists. This wretched opinion, by which they are possessed even to the height of fanaticism, leading them to exclude

* The first object of this club was the propagation of Jacobin principles.

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from their ideas of a commonwealth the vital principle of the physical, the moral, and the political world engages them in a thousand absurd contrivances to fill up this dreadful void. Incapable of innoxious repose or honorable action or wise speculation in the lurking-holes of a foreign land, into which (in a common ruin) they are driven to hide their heads amongst the innocent victims of their madness, they are at this very hour as busy in the confection of the dirt-pies of their imaginary constitutions as if they had not been quite fresh from destroying, by their impious and desperate vagaries, the finest country upon earth.

It is, however, out of these, or of such as these, guilty and impenitent, despising the experience of others, and their own, that some people talk of choosing their negotiators with those Jacobins who they suppose may be recovered to a sounder mind. They flatter themselves, it seems, that the friendly habits formed during their original partnership of iniquity, a similarity of character, and a conformity in the groundwork of their principles, might facilitate their conversion, and gain them over to some recognition of royalty. But surely this is to read human nature very ill. The several sectaries in this schism of the Jacobins are the very last men in the world to trust each other. Fellowship in treason is a bad ground of confidence. The last quarrels are the sorest: and the injuries received or offered by your own associates are ever the most bitterly resented. The people of France, of every name and description, would a thousand times sooner listen to the Prince de Condé, or to the Archbishop of Aix, or the Bishop of St. Pol, or to Monsieur de

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Cazalès, than to La Fayette, or Dumouriez, or the Vicomte de Noailles, or the Bishop of Autun, or Necker, or his disciple Lally Tollendal. Against the first description they have not the smallest animosity, beyond that of a merely political dissension. The others they regard as traitors.

The first description is that of the Christian Royalists, men who as earnestly wished for reformation as they opposed innovation in the fundamental parts of their Church and State. *Their* part has been *very decided.* Accordingly, they are to be set aside in the restoration of Church and State. It is an odd kind of disqualification, where the restoration of religion and monarchy is the question. If England should (God forbid it should!) fall into the same misfortune with France, and that the court of Vienna should undertake the restoration of our monarchy, I think it would be extraordinary to object to the admission of Mr. Pitt or Lord Grenville or Mr. Dundas into any share in the management of that business, because in a day of trial they have stood up firmly and manfully, as I trust they always will do, and with distinguished powers, for the monarchy and the legitimate Constitution of their country. I am sure, if I were to suppose myself at Vienna at such a time, I should, as a man, as an Englishman, and as a Royalist, protest in that case, as I do in this, against a weak and ruinous principle of proceeding, which can have no other tendency than to make those who wish to support the crown meditate too profoundly on the consequences of the part they take, and consider whether for their open and forward zeal in the royal cause they may not be thrust out from any sort of confidence and employment, where the interest of crowned heads is concerned.

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These are the *parties*. I have said, and said truly, that I know of no neutrals. But, as a general observation on this general principle of choosing neutrals on such occasions as the present, I have this to say, that it amounts to neither more nor less than this shocking proposition, — that we ought to exclude men of honor and ability from serving theirs and our cause, and to put the dearest interests of ourselves and our posterity into the hands of men of no decided character, without judgment to choose and without courage to profess any principle whatsoever.

Such men can serve no cause, for this plain reason, — they have no cause at heart. They can, at best, work only as mere mercenaries. They have not been guilty of great crimes; but it is only because they have not energy of mind to rise to any height of wickedness. They are not hawks or kites: they are only miserable fowls whose flight is not above their dunghill or hen-roost. But they tremble before the authors of these horrors. They admire them at a safe and respectful distance. There never was a mean and abject mind that did not admire an intrepid and dexterous villain. In the bottom of their hearts they believe such hardy miscreants to be the only men qualified for great affairs. If you set them to transact with such persons, they are instantly subdued. They dare not so much as look their antagonist in the face. They are made to be their subjects, not to be their arbiters or controllers.

These men, to be sure, can look at atrocious acts without indignation, and can behold suffering virtue without sympathy. Therefore they are considered as sober, dispassionate men. But they have their pas-

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sions, though of another kind, and which are infinitely more likely to carry them out of the path of their duty. They are of a tame, timid, languid, inert temper, wherever the welfare of *others* is concerned. In such causes, as they have no motives to action, they never possess any real ability, and are totally destitute of all resource.

Believe a man who has seen much and observed something. I have seen, in the course of my life, a great many of that family of men. They are generally chosen because they have no opinion of their own; and as far as they can be got in good earnest to embrace any opinion, it is that of whoever happens to employ them, (neither longer nor shorter, narrower nor broader,) with whom they have no discussion or consultation. The only thing which occurs to such a man, when he has got a business for others into his hands, is, how to make his own fortune out of it. The person he is to treat with is not, with him, an adversary over whom he is to prevail, but a new friend he is to gain; therefore he always systematically betrays some part of his trust. Instead of thinking how he shall defend his ground to the last, and, if forced to retreat, how little he shall give up, this kind of man considers how much of the interest of his employer he is to sacrifice to his adversary. Having nothing but himself in view, he knows, that, in serving his principal with zeal, he must probably incur some resentment from the opposite party. His object is, to obtain the good-will of the person with whom he contends, that, when an agreement is made, he may join in rewarding him. I would not take one of these as my arbitrator in a dispute for so much as a fish-pond; for, if he re-

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served the mud to me, he would be sure to give the water that fed the pool to my adversary. In a great cause, I should certainly wish that my agent should possess conciliating qualities: that he should be of a frank, open, and candid disposition, soft in his nature, and of a temper to soften animosities and to win confidence. He ought not to be a man odious to the person he treats with, by personal injury, by violence, or by deceit, or, above all, by the dereliction of his cause in any former transactions. But I would be sure that my negotiator should be *mine*, — that he should be as earnest in the cause as myself, and known to be so, — that he should not be looked upon as a stipendiary advocate, but as a principled partisan. In all treaty it is a great point that all idea of gaining your agent is hopeless. I would not trust the cause of royalty with a man who, professing neutrality, is half a republican. The enemy has already a great part of his suit without a struggle, — and he contends with advantage for all the rest. The common principle allowed between your adversary and your agent gives your adversary the advantage in every discussion.

Before I shut up this discourse about neutral agency, (which I conceive is not to be found, or, if found, ought not to be used,) I have a few other remarks to make on the cause which I conceive gives rise to it.

In all that we do, whether in the struggle or after it, it is necessary that we should constantly have in our eye the nature and character of the enemy we have to contend with. The Jacobin Revolution is carried on by men of no rank, of no consideration, of wild, savage minds, full of levity, arrogance, and presumption, without morals, without probity, with-

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out prudence. What have they, then, to supply their innumerable defects, and to make them terrible even to the firmest minds? *One* thing, and *one* thing only, — but that one thing is worth a thousand; — they have *energy*. In France, all things being put into an universal ferment, in the decomposition of society, no man comes forward but by his spirit of enterprise and the vigor of his mind. If we meet this dreadful and portentous energy, restrained by no consideration of God or man, that is always vigilant, always on the attack, that allows itself no repose, and suffers none to rest an hour with impunity, — if we meet this energy with poor commonplace proceeding, with trivial maxims, paltry old saws, with doubts, fears, and suspicions, with a languid, uncertain hesitation, with a formal, official spirit, which is turned aside by every obstacle from its purpose, and which never sees a difficulty but to yield to it, or at best to evade it, — down we go to the bottom of the abyss, and nothing short of Omnipotence can save us. We must meet a vicious and distempered energy with a manly and rational vigor. As virtue is limited in its resources, we are doubly bound to use all that in the circle drawn about us by our morals we are able to command.

I do not contend against the advantages of distrust. In the world we live in it is but too necessary. Some of old called it the very sinews of discretion. But what signify commonplaces that always run parallel and equal? Distrust is good, or it is bad, according to our position and our purpose. Distrust is a defensive principle. They who have much to lose have much to fear. But in France we hold nothing. We are to break in upon a power in pos-

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session; we are to carry everything by storm, or by surprise, or by intelligence, or by all. Adventure, therefore, and not caution, is our policy. Here to be too presuming is the better error.

The world will judge of the spirit of our proceeding in those places of France which may fall into our power by our conduct in those that are already in our hands. Our wisdom should not be vulgar. Other times, perhaps other measures; but in this awful hour our politics ought to be made up of nothing but courage, decision, manliness, and rectitude. We should have all the magnanimity of good faith. This is a royal and commanding policy; and as long as we are true to it, we may give the law. Never can we assume this command, if we will not risk the consequences. For which reason we ought to be bottomed enough in principle not to be carried away upon the first prospect of any sinister advantage. For depend upon it, that, if we once give way to a sinister dealing, we shall teach others the game, and we shall be outwitted and overborne; the Spaniards, the Prussians, God knows who, will put us under contribution at their pleasure; and instead of being at the head of a great confederacy, and the arbiters of Europe, we shall, by our mistakes, break up a great design into a thousand little selfish quarrels, the enemy will triumph, and we shall sit down under the terms of unsafe and dependent peace, weakened, mortified, and disgraced, whilst all Europe, England included, is left open and defenceless on every part, to Jacobin principles, intrigues, and arms. In the case of the king of France, declared to be our friend and ally, we will still be considering ourselves in the contradictory character of an enemy. This contradic-

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tion, I am afraid, will, in spite of us, give a color of fraud to all our transactions, or at least will so complicate our politics that we shall ourselves be inextricably entangled in them.

I have Toulon in my eye. It was with infinite sorrow I heard, that, in taking the king of France's fleet in trust, we instantly unrigged and dismasted the ships, instead of keeping them in a condition to escape in case of disaster, and in order to fulfil our trust, — that is, to hold them for the use of the owner, and in the mean time to employ them for our common service. These ships are now so circumstanced, that, if we are forced to evacuate Toulon, they must fall into the hands of the enemy or be burnt by ourselves. I know this is by some considered as a fine thing for us. But the Athenians ought not to be better than the English, or Mr. Pitt less virtuous than Aristides.

Are we, then, so poor in resources that we can do no better with eighteen or twenty ships of the line than to burn them? Had we sent for French Royalist naval officers, of which some hundreds are to be had, and made them select such seamen as they could trust, and filled the rest with our own and Mediterranean seamen, which are all over Italy to be had by thousands, and put them under judicious English commanders-in-chief, and with a judicious mixture of our own subordinates, the West Indies would at this day have been ours. It may be said that these French officers would take them for the king of France, and that they would not be in our power. Be it so. The islands would not be ours, but they would not be Jacobinized. This is, however, a thing impossible. They must in effect and

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substance be ours. But all is upon that false principle of distrust, which, not confiding in strength, can never have the full use of it. They that pay, and feed, and equip, must direct. But I must speak plain upon this subject. The French islands, if they were all our own, ought not to be all kept. A fair partition only ought to be made of those territories. This is a subject of policy very serious, which has many relations and aspects. Just here I only hint at it as answering an objection, whilst I state the mischievous consequences which suffer us to be surprised into a virtual breach of faith by confounding our ally with our enemy, because they both belong to the same geographical territory.

My clear opinion is, that Toulon ought to be made, what we set out with, a royal French city. By the necessity of the case, it must be under the influence, civil and military, of the allies. But the only way of keeping that jealous and discordant mass from tearing its component parts to pieces, and hazarding the loss of the whole, is, to put the place into the nominal government of the regent, his officers being approved by us. This, I say, is absolutely necessary for a poise amongst ourselves. Otherwise is it to be believed that the Spaniards, who hold that place with us in a sort of partnership, contrary to our mutual interest, will see us absolute masters of the Mediterranean, with Gibraltar on one side and Toulon on the other, with a quiet and composed mind, whilst we do little less than declare that we are to take the whole West Indies into our hands, leaving the vast, unwieldy, and feeble body of the Spanish dominions in that part of the world absolutely at our mercy, without any power to balance us in the smallest de-

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gree? Nothing is so fatal to a nation as an extreme of self-partiality, and the total want of consideration of what others will naturally hope or fear. Spain must think she sees that we are taking advantage of the confusions which reign in France to disable that country, and of course every country, from affording her protection, and in the end to turn the Spanish monarchy into a province. If she saw things in a proper point of light, to be sure, she would not consider any other plan of politics as of the least moment in comparison of the extinction of Jacobinism. But her ministers (to say the best of them) are vulgar politicians. It is no wonder that they should postpone this great point, or balance it by considerations of the common politics, that is, the questions of power between *state and state*. If we manifestly endeavor to destroy the balance, especially the maritime and commercial balance, both in Europe and the West Indies, (the latter their sore and vulnerable part,) from fear of what France may do for Spain hereafter, is it to be wondered that Spain, infinitely weaker than we are, (weaker, indeed, than such a mass of empire ever was,) should feel the same fears from our uncontrolled power that we give way to ourselves from a supposed resurrection of the ancient power of France under a monarchy? It signifies nothing whether we are wrong or right in the abstract; but in respect to our relation to Spain, with such principles followed up in practice, it is absolutely impossible that any cordial alliance can subsist between the two nations. If Spain goes, Naples will speedily follow. Prussia is quite certain, and thinks of nothing but making a market of the present confusions. Italy is broken and divided. Switzer-

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land is Jacobinized, I am afraid, completely. I have long seen with pain the progress of French principles in that country. Things cannot go on upon the present bottom. The possession of Toulon, which, well managed, might be of the greatest advantage, will be the greatest misfortune that ever happened to this nation. The more we multiply troops there, the more we shall multiply causes and means of quarrel amongst ourselves. I know but one way of avoiding it, which is, to give a greater degree of simplicity to our politics. Our situation does necessarily render them a good deal involved. And to this evil, instead of increasing it, we ought to apply all the remedies in our power.

See what is in that place the consequence (to say nothing of every other) of this complexity. Toulon has, as it were, two gates, — an English and a Spanish. The English gate is by our policy fast barred against the entrance of any Royalists. The Spaniards open theirs, I fear, upon no fixed principle, and with very little judgment. By means, however, of this foolish, mean, and jealous policy on our side, all the Royalists whom the English might select as most practicable, and most subservient to honest views, are totally excluded. Of those admitted the Spaniards are masters. As to the inhabitants, they are a nest of Jacobins, which is delivered into our hands, not from principle, but from fear. The inhabitants of Toulon may be described in a few words. It is *differtum nautis, cauponibus atque malignis.* The rest of the seaports are of the same description.

Another thing which I cannot account for is, the sending for the Bishop of Toulon and afterwards forbidding his entrance. This is as directly contrary to

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the declaration as it is to the practice of the allied powers. The king of Prussia did better. When he took Verdun, he actually reinstated the bishop and his chapter. When he thought he should be the master of Chalons, he called the bishop from Flanders, to put him into possession. The Austrians have restored the clergy wherever they obtained possession. We have proposed to restore religion as well as monarchy; and in Toulon we have restored neither the one nor the other. It is very likely that the Jacobin *sans-culottes*, or some of them, objected to this measure, who rather choose to have the atheistic buffoons of clergy they have got to sport with, till they are ready to come forward, with the rest of their worthy brethren, in Paris and other places, to declare that they are a set of impostors, that they never believed in God, and never will preach any sort of religion. If we give way to our Jacobins in this point, it is fully and fairly putting the government, civil and ecclesiastical, not in the king of France, to whom, as the protector and governor, and in substance the head of the Gallican Church, the nomination to the bishoprics belonged, and who made the Bishop of Toulon, — it does not leave it with him, or even in the hands of the king of England, or the king of Spain, — but in the basest Jacobins of a low seaport, to exercise, *pro tempore*, the sovereignty. If this point of religion is thus given up, the grand instrument for reclaiming France is abandoned. We cannot, if we would, delude ourselves about the true state of this dreadful contest. *It is a religious war.* It includes in its object, undoubtedly, every other interest of society as well as this; but this is the principal and leading feature. It is through this



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destruction of religion that our enemies propose the accomplishment of all their other views. The French Revolution, impious at once and fanatical, had no other plan for domestic power and foreign empire. Look at all the proceedings of the National Assembly, from the first day of declaring itself such, in the year 1789, to this very hour, and you will find full half of their business to be directly on this subject. In fact, it is the spirit of the whole. The religious system, called the Constitutional Church, was, on the face of the whole proceeding, set up only as a mere temporary amusement to the people, and so constantly stated in all their conversations, till the time should come when they might with safety cast off the very appearance of all religion whatsoever, and persecute Christianity throughout Europe with fire and sword. The Constitutional clergy are not the ministers of any religion: they are the agents and instruments of this horrible conspiracy against all morals. It was from a sense of this, that, in the English addition to the articles proposed at St. Domingo, tolerating all religions, we very wisely refused to suffer that kind of traitors and buffoons.

This religious war is not a controversy between sect and sect, as formerly, but a war against all sects and all religions. The question is not, whether you are to overturn the Catholic, to set up the Protestant. Such an idea, in the present state of the world, is too contemptible. Our business is, to leave to the schools the discussion of the controverted points, abating as much as we can the acrimony of disputants on all sides. It is for Christian statesmen, as the world is now circumstanced, to secure their common basis, and not to risk the subversion of the whole fabric

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by pursuing these distinctions with an ill-timed zeal. We have in the present grand alliance all modes of government, as well as all modes of religion. In government, we mean to restore that which, notwithstanding our diversity of forms, we are all agreed in as fundamental in government. The same principle ought to guide us in the religious part: conforming the mode, not to our particular ideas, (for in that point we have no ideas in common,) but to what will best promote the great, general ends of the alliance. As statesmen, we are to see which of those modes best suits with the interests of such a commonwealth as we wish to secure and promote. There can be no doubt but that the Catholic religion, which is fundamentally the religion of France, must go with the monarchy of France. We know that the monarchy did not survive the hierarchy, no, not even in appearance, for many months,—in substance, not for a single hour. As little can it exist in future, if that pillar is taken away, or even shattered and impaired.

If it should please God to give to the allies the means of restoring peace and order in that focus of war and confusion, I would, as I said in the beginning of this memorial, first replace the whole of the old clergy; because we have proof more than sufficient, that, whether they err or not in the scholastic disputes with us, they are not tainted with atheism, the great political evil of the time. I hope I need not apologize for this phrase, as if I thought religion nothing but policy: it is far from my thoughts, and I hope it is not to be inferred from my expressions. But in the light of policy alone I am here considering the question. I speak of policy, too, in a large

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light; in which large light, policy, too, is a sacred thing.

There are many, perhaps half a million or more, calling themselves Protestants, in the South of France, and in other of the provinces. Some raise them to a much greater number; but I think this nearer to the mark. I am sorry to say that they have behaved shockingly since the very beginning of this rebellion, and have been uniformly concerned in its worst and most atrocious acts. Their clergy are just the same atheists with those of the Constitutional Catholics, but still more wicked and daring. Three of their number have met from their republican associates the reward of their crimes.

As the ancient Catholic religion is to be restored for the body of France, the ancient Calvinistic religion ought to be restored for the Protestants, with every kind of protection and privilege. But not one minister concerned in this rebellion ought to be suffered amongst them. If they have not clergy of their own, men well recommended, as untainted with Jacobinism, by the synods of those places where Calvinism prevails and French is spoken, ought to be sought. Many such there are. The Presbyterian discipline ought, in my opinion, to be established in its vigor, and the people professing it ought to be bound to its maintenance. No man, under the false and hypocritical pretence of liberty of conscience, ought to be suffered to have no conscience at all. The king's commissioner ought also to sit in their synods, as before the revocation of the Edict of Nantes. I am conscious that this discipline disposes men to republicanism: but it is still a discipline, and it is a cure (such as it is) for the perverse and undis-

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ciplined habits which for some time have prevailed. Republicanism repressed may have its use in the composition of a state. Inspection may be practicable, and responsibility in the teachers and elders may be established, in such an hierarchy as the Presbyterian. For a time like ours, it is a great point gained, that people should be taught to meet, to combine, and to be classed and arrayed in some other way than in clubs of Jacobins. If it be not the best mode of Protestantism under a monarchy, it is still an orderly Christian church, orthodox in the fundamentals, and, what is to our point, capable enough of rendering men useful citizens. It was the impolitic abolition of their discipline, which exposed them to the wild opinions and conduct that have prevailed amongst the Huguenots. The toleration in 1787 was owing to the good disposition of the late king; but it was modified by the profligate folly of his atheistic minister, the Cardinal de Loménie. This mischievous minister did not follow, in the edict of toleration, the wisdom of the Edict of Nantes. But his toleration was granted to *non-Catholics*, — a dangerous word, which might signify anything, and was but too expressive of a fatal indifference with regard to all piety. I speak for myself: I do not wish any man to be converted from his sect. The distinctions which we have reformed from animosity to emulation may be even useful to the cause of religion. By some moderate contention they keep alive zeal. Whereas people who change, except under strong conviction, (a thing now rather rare,) the religion of their early prejudices, especially if the conversion is brought about by any political machine, are very apt to degenerate into indifference, laxity, and often downright atheism.

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Another political question arises about the mode of government which ought to be established. I think the proclamation (which I read before I had proceeded far in this memorial) puts it on the best footing, by postponing that arrangement to a time of peace.

When our politics lead us to enterprise a great and almost total political revolution in Europe, we ought to look seriously into the consequences of what we are about to do. Some eminent persons discover an apprehension that the monarchy, if restored in France, may be restored in too great strength for the liberty and happiness of the natives, and for the tranquillity of other states. They are therefore of opinion that terms ought to be made for the modification of that monarchy. They are persons too considerable, from the powers of their mind, and from their situation, as well as from the real respect I have for them, who seem to entertain these apprehensions, to let me pass them by unnoticed.

As to the power of France as a state, and in its exterior relations, I confess my fears are on the part of its extreme reduction. There is undoubtedly something in the vicinity of France, which makes it naturally and properly an object of our watchfulness and jealousy, whatever form its government may take. But the difference is great between a plan for our own security and a scheme for the utter destruction of France. If there were no other countries in the political map but these two, I admit that policy might justify a wish to lower our neighbor to a standard which would even render her in some measure, if not wholly, our dependant. But the system of Europe is extensive and extremely complex. However formi-

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dable to us, as taken in this one relation, France is not equally dreadful to all other states. On the contrary, my clear opinion is, that the liberties of Europe cannot possibly be preserved but by her remaining a very great and preponderating power. The design at present evidently pursued by the combined potentates, or of the two who lead, is totally to destroy her as such a power. For Great Britain resolves that she shall have no colonies, no commerce, and no marine. Austria means to take away the whole frontier, from the borders of Switzerland to Dunkirk. It is their plan also to render the interior government lax and feeble, by prescribing, by force of the arms of rival and jealous nations, and without consulting the natural interests of the kingdom, such arrangements as, in the actual state of Jacobinism in France, and the unsettled state in which property must remain for a long time, will inevitably produce such distraction and debility in government as to reduce it to nothing, or to throw it back into its old confusion. One cannot conceive so frightful a state of a nation. A maritime country without a marine and without commerce; a continental country without a frontier, and for a thousand miles surrounded with powerful, warlike, and ambitious neighbors! It is possible that she might submit to lose her commerce and her colonies: her security she never can abandon. If, contrary to all expectations, under such a disgraced and impotent government, any energy should remain in that country, she will make every effort to recover her security, which will involve Europe for a century in war and blood. What has it cost to France to make that frontier? What will it cost to recover it? Austria thinks that without a frontier she cannot secure

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the *Netherlands*. But without her frontier France cannot secure *herself*. Austria has been, however, secure for an hundred years in those very Netherlands, and has never been dispossessed of them by the chance of war without a moral certainty of receiving them again on the restoration of peace. Her late dangers have arisen not from the power or ambition of the king of France. They arose from her own ill policy, which dismantled all her towns, and discontented all her subjects by Jacobinical innovations. She dismantles her own towns, and then says, "Give me the frontier of France!" But let us depend upon it, whatever tends, under the name of security, to aggrandize Austria, will discontent and alarm Prussia. Such a length of frontier on the side of France, separated from itself, and separated from the mass of the Austrian country, will be weak, unless connected at the expense of the Elector of Bavaria (the Elector Palatine) and other lesser princes, or by such exchanges as will again convulse the Empire.

Take it the other way, and let us suppose that France so broken in spirit as to be content to remain naked and defenceless by sea and by land. Is such a country no prey? Have other nations no views? Is Poland the only country of which it is worth while to make a partition? We cannot be so childish as to imagine that ambition is local, and that no others can be infected with it but those who rule within certain parallels of latitude and longitude. In this way I hold war equally certain. But I can conceive that both these principles may operate: ambition on the part of Austria to cut more and more from France; and French impatience under her degraded and unsafe condition. In such a contest will the other powers

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stand by? Will not Prussia call for indemnity, as well as Austria and England? Is she satisfied with her gains in Poland? By no means. Germany must pay; or we shall infallibly see Prussia leagued with France and Spain, and possibly with other powers, for the reduction of Austria; and such may be the situation of things, that it will not be so easy to decide what part England may take in such a contest.

I am well aware how invidious a task it is to oppose anything which tends to the apparent aggrandizement of our own country. But I think no country can be aggrandized whilst France is Jacobinized. This post removed, it will be a serious question how far her further reduction will contribute to the general safety, which I always consider as included. Among precautions against ambition, it may not be amiss to take one precaution against our *own*. I must fairly say, I dread our *own* power and our *own* ambition; I dread our being too much dreaded. It is ridiculous to say we are not men, and that, as men, we shall never wish to aggrandize ourselves in some way or other. Can we say that even at this very hour we are not invidiously aggrandized? We are already in possession of almost all the commerce of the world. Our empire in India is an awful thing. If we should come to be in a condition not only to have all this ascendant in commerce, but to be absolutely able, without the least control, to hold the commerce of all other nations totally dependent upon our good pleasure, we may say that we shall not abuse this astonishing and hitherto unheard-of power. But every other nation will think we shall abuse it. It is impossible but that, sooner or later, this state of things must produce a combination against us which may end in our ruin.

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As to France, I must observe that for a long time she has been stationary. She has, during this whole century, obtained far less by conquest or negotiation than any of the three great Continental powers. Some part of Lorraine excepted, I recollect nothing she has gained, — no, not a village. In truth, this Lorraine acquisition does little more than secure her barrier. In effect and substance it was her own before.

However that may be, I consider these things at present chiefly in one point of view, as obstructions to the war on Jacobinism, which *must* stand as long as the powers think its extirpation but a *secondary* object, and think of taking advantage, under the name of *indemnity* and *security*, to make war upon the whole nation of France, royal and Jacobin, for the aggrandizement of the allies, on the ordinary principles of interest, as if no Jacobinism existed in the world.

So far is France from being formidable to its neighbors for its domestic strength, that I conceive it will be as much as all its neighbors can do, by a steady guaranty, to keep that monarchy at all upon its basis. It will be their business to nurse France, not to exhaust it. France, such as it is, is indeed highly formidable: not formidable, however, as a great republic; but as the most dreadful gang of robbers and murderers that ever was embodied. But this distempered strength of France will be the cause of proportionable weakness on its recovery. Never was a country so completely ruined; and they who calculate the resurrection of her power by former examples have not sufficiently considered what is the present state of things. Without detailing the inventory of what organs of government have been destroyed, together with the very materials of which

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alone they can be recomposed, I wish it to be considered what an operose affair the whole system of taxation is in the old states of Europe. It is such as never could be made but in a long course of years. In France all taxes are abolished. The present powers resort to the capital, and to the capital in kind. But a savage, undisciplined people suffer a *robbery* with more patience than an *impost*. The former is in their habits and their dispositions. They consider it as transient, and as what, in their turn, they may exercise. But the terrors of the present power are such as no regular government can possibly employ. They who enter into France do not succeed to *their* resources. They have not a system to reform, but a system to begin. The whole estate of government is to be reacquired.

What difficulties this will meet with in a country exhausted by the taking of the capital, and among a people in a manner new-principled, trained, and actually disciplined to anarchy, rebellion, disorder, and impiety, may be conceived by those who know what Jacobin France is, and who may have occupied themselves by revolving in their thoughts what they were to do, if it fell to their lot to reëstablish the affairs of France. What support or what limitations the restored monarchy must have may be a doubt, or how it will pitch and settle at last. But one thing I conceive to be far beyond a doubt: that the settlement cannot be immediate; but that it must be preceded by some sort of power, equal at least in vigor, vigilance, promptitude, and decision, to a military government. For such a *preparatory* government, no slow-paced, methodical, formal, lawyer-like system, still less that of a showy, superficial, trifling,

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intriguing court, guided by cabals of ladies, or of men like ladies, least of all a philosophic, theoretic, disputatious school of sophistry, — none of these ever will or ever can lay the foundations of an order that can last. Whoever claims a right by birth to govern there must find in his breast, or must conjure up in it, an energy not to be expected, perhaps not always to be wished for, in well-ordered states. The lawful prince must have, in everything but crime, the character of an usurper. He is gone, if he imagines himself the quiet possessor of a throne. He is to contend for it as much after an apparent conquest as before. His task is, to win it: he must leave posterity to enjoy and to adorn it. No velvet cushions for him. He is to be always (I speak nearly to the letter) on horseback. This opinion is the result of much patient thinking on the subject, which I conceive no event is likely to alter.

A valuable friend of mine, who I hope will conduct these affairs, so far as they fall to his share, with great ability, asked me what I thought of acts of general indemnity and oblivion, as a means of settling France, and reconciling it to monarchy. Before I venture upon any opinion of my own in this matter, I totally disclaim the interference of foreign powers in a business that properly belongs to the government which we have declared legal. That government is likely to be the best judge of what is to be done towards the security of that kingdom, which it is their duty and their interest to provide for by such measures of justice or of lenity as at the time they should find best. But if we weaken it not only by arbitrary limitations of our own, but preserve such persons in it as are disposed to disturb its future

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peace, as they have its past, I do not know how a more direct declaration can be made of a disposition to perpetual hostility against a government. The persons saved from the justice of the native magistrate by foreign authority will owe nothing to his clemency. He will, and must, look to those to whom he is indebted for the power he has of dispensing it. A Jacobin faction, constantly fostered with the nourishment of foreign protection, will be kept alive.

This desire of securing the safety of the actors in the present scene is owing to more laudable motives. Ministers have been made to consider the brothers of the late merciful king, and the nobility of France who have been faithful to their honor and duty, as a set of inexorable and remorseless tyrants. How this notion has been infused into them I cannot be quite certain. I am sure it is not justified by anything they have done. Never were the two princes guilty, in the day of their power, of a single hard or ill-natured act. No one instance of cruelty on the part of the gentlemen ever came to my ears. It is true that the *English* Jacobins, (the natives have not thought of it,) as an excuse for their infernal system of murder, have so represented them. It is on this principle that the massacres in the month of September, 1792, were justified by a writer in the Morning Chronicle. *He* says, indeed, that "the whole French nation is to be given up to the hands of an irritated and revengeful noblesse"; — and, judging of others by himself and his brethren, he says, "Whoever succeeds in a civil war will be cruel. But here the emigrants, flying to revenge in the cars of military victory, will almost insatiably call for

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their victims and their booty; and a body of emigrant traitors were attending the King of Prussia and the Duke of Brunswick, to suggest the most sanguinary counsels." So says this wicked Jacobin; but so cannot say the King of Prussia nor the Duke of Brunswick, who never did receive any sanguinary counsel; nor did the king's brothers, or that great body of gentlemen who attended those princes, commit one single cruel action, or hurt the person or property of one individual. It would be right to quote the instance. It is like the military luxury attributed to these unfortunate sufferers in our common cause.

If these princes had shown a tyrannic disposition, it would be much to be lamented. We have no others to govern France. If we screened the body of murderers from their justice, we should only leave the innocent in future to the mercy of men of fierce and sanguinary dispositions, of which, in spite of all our intermeddling in their Constitution, we could not prevent the effects. But as we have much more reason to fear their feeble lenity than any blamable rigor, we ought, in my opinion, to leave the matter to themselves.

If, however, I were asked to give an advice merely as such, here are my ideas. I am not for a total indemnity, nor a general punishment. And first, the body and mass of the people never ought to be treated as criminal. They may become an object of more or less constant watchfulness and suspicion, as their preservation may best require, but they can never become an object of punishment. This is one of the few fundamental and unalterable principles of politics.

To punish them capitally would be to make massa-

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cres. Massacres only increase the ferocity of men, and teach them to regard their own lives and those of others as of little value; whereas the great policy of government is, to teach the people to think both of great importance in the eyes of God and the state, and never to be sacrificed or even hazarded to gratify their passions, or for anything but the duties prescribed by the rules of morality, and under the direction of public law and public authority. To punish them with lesser penalties would be to debilitate the commonwealth, and make the nation miserable, which it is the business of government to render happy and flourishing.

As to crimes, too, I would draw a strong line of limitation. For no one offence, *politically an offence of rebellion*, by council, contrivance, persuasion, or compulsion, for none properly a *military offence of rebellion*, or anything done by open hostility in the field, should any man at all be called in question; because such seems to be the proper and natural death of civil dissensions. The offences of war are obliterated by peace.

Another class will of course be included in the indemnity, — namely, all those who by their activity in restoring lawful government shall obliterate their offences. The offence previously known, the acceptance of service is a pardon for crimes. I fear that this class of men will not be very numerous.

So far as to indemnity. But where are the objects of justice, and of example, and of future security to the public peace? They are naturally pointed out, not by their having outraged political and civil laws, nor their having rebelled against the state as a state, but by their having rebelled against the law of Na-

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ture and outraged man as man. In this list, all the regicides in general, all those who laid sacrilegious hands on the king, who, without anything in their own rebellious mission to the Convention to justify them, brought him to his trial and unanimously voted him guilty, — all those who had a share in the cruel murder of the queen, and the detestable proceedings with regard to the young king and the unhappy princesses, — all those who committed cold-blooded murder anywhere, and particularly in their revolutionary tribunals, where every idea of natural justice and of their own declared rights of man have been trod under foot with the most insolent mockery, — all men concerned in the burning and demolition of houses or churches, with audacious and marked acts of sacrilege and scorn offered to religion, — in general, all the leaders of Jacobin clubs, — not one of these should escape a punishment suitable to the nature, quality, and degree of their offence, by a steady, but a measured justice.

In the first place, no man ought to be subject to any penalty, from the highest to the lowest, but by a trial according to the course of law, carried on with all that caution and deliberation which has been used in the best times and precedents of the French jurisprudence, the criminal law of which country, faulty to be sure in some particulars, was highly laudable and tender of the lives of men. In restoring order and justice, everything like retaliation ought to be religiously avoided; and an example ought to be set of a total alienation from the Jacobin proceedings in their accursed revolutionary tribunals. Everything like lumping men in masses, and of forming tables of proscription, ought to be avoided.

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In all these punishments, anything which can be alleged in mitigation of the offence should be fully considered. Mercy is not a thing opposed to justice. It is an essential part of it,—as necessary in criminal cases as in civil affairs equity is to law. It is only for the Jacobins never to pardon. They have not done it in a single instance. A council of mercy ought therefore to be appointed, with powers to report on each case, to soften the penalty, or entirely to remit it, according to circumstances.

With these precautions, the very first foundation of settlement must be to call to a strict account those bloody and merciless offenders. Without it, government cannot stand a year. People little consider the utter impossibility of getting those who, having emerged from very low, some from the lowest classes of society, have exercised a power so high, and with such unrelenting and bloody a rage, quietly to fall back into their old ranks, and become humble, peaceable, laborious, and useful members of society. It never can be. On the other hand, is it to be believed that any worthy and virtuous subject, restored to the ruins of his house, will with patience see the cold-blooded murderer of his father, mother, wife, or children, or perhaps all of these relations, (such things have been,) nose him in his own village, and insult him with the riches acquired from the plunder of his goods, ready again to head a Jacobin faction to attack his life? He is unworthy of the name of man who would suffer it. It is unworthy of the name of a government, which, taking justice out of the private hand, will not exercise it for the injured by the public arm.

I know it sounds plausible, and is readily adopted



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by those who have little sympathy with the sufferings of others, to wish to jumble the innocent and guilty into one mass by a general indemnity. This cruel indifference dignifies itself with the name of humanity.

It is extraordinary, that, as the wicked arts of this regicide and tyrannous faction increase in number, variety, and atrocity, the desire of punishing them becomes more and more faint, and the talk of an indemnity towards them every day stronger and stronger. Our ideas of justice appear to be fairly conquered and overpowered by guilt, when it is grown gigantic. It is not the point of view in which we are in the habit of viewing guilt. The crimes we every day punish are really below the penalties we inflict. The criminals are obscure and feeble. This is the view in which we see ordinary crimes and criminals. But when guilt is seen, though but for a time, to be furnished with the arms and to be invested with the robes of power, it seems to assume another nature, and to get, as it were, out of our jurisdiction. This I fear is the case with many. But there is another cause full as powerful towards this security to enormous guilt, — the desire which possesses people who have once obtained power to enjoy it at their ease. It is not humanity, but laziness and inertness of mind, which produces the desire of this kind of indemnities. This description of men love general and short methods. If they punish, they make a promiscuous massacre; if they spare, they make a general act of oblivion. This is a want of disposition to proceed laboriously according to the cases, and according to the rules and principles of justice on each case: a want of disposition to assort criminals, to discrimi-

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nate the degrees and modes of guilt, to separate accomplices from principals, leaders from followers, seducers from the seduced, and then, by following the same principles in the same detail, to class punishments, and to fit them to the nature and kind of the delinquency. If that were once attempted, we should soon see that the task was neither infinite nor the execution cruel. There would be deaths, but, for the number of criminals and the extent of France, not many. There would be cases of transportation, cases of labor to restore what has been wickedly destroyed, cases of imprisonment, and cases of mere exile. But be this as it may, I am sure, that, if justice is not done there, there can be neither peace nor justice there, nor in any part of Europe.

History is resorted to for other acts of indemnity in other times. The princes are desired to look back to Henry the Fourth. We are desired to look to the restoration of King Charles. These things, in my opinion, have no resemblance whatsoever. They were cases of a civil war, — in France more ferocious, in England more moderate than common. In neither country were the orders of society subverted, religion and morality destroyed on principle, or property totally annihilated. In England, the government of Cromwell was, to be sure, somewhat rigid, but, for a new power, no savage tyranny. The country was nearly as well in his hands as in those of Charles the Second, and in some points much better. The laws in general had their course, and were admirably administered. The king did not in reality grant an act of indemnity; the prevailing power, then in a manner the nation, in effect granted an indemnity to *him*. The idea of a preceding rebellion was not at all ad-

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mitted in that convention and that Parliament. The regicides were a common enemy, and as such given up.

Among the ornaments of their place which eminently distinguish them, few people are better acquainted with the history of their own country than the illustrious princes now in exile; but I caution them not to be led into error by that which has been supposed to be the guide of life. I would give the same caution to all princes. Not that I derogate from the use of history. It is a great improver of the understanding, by showing both men and affairs in a great variety of views. From this source much political wisdom may be learned, — that is, may be learned as habit, not as precept, — and as an exercise to strengthen the mind, as furnishing materials to enlarge and enrich it, not as a repertory of cases and precedents for a lawyer: if it were, a thousand times better would it be that a statesman had never learned to read, — *vellem nescirent literas*. This method turns their understanding from the object before them, and from the present exigencies of the world, to comparisons with former times, of which, after all, we can know very little and very imperfectly; and our guides, the historians, who are to give us their true interpretation, are often prejudiced, often ignorant, often fonder of system than of truth. Whereas, if a man with reasonable good parts and natural sagacity, and not in the leading-strings of any master, will look steadily on the business before him, without being diverted by retrospect and comparison, he may be capable of forming a reasonable good judgment of what is to be done. There are some fundamental points in which Nature never changes; but they are

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few and obvious, and belong rather to morals than to politics. But so far as regards political matter, the human mind and human affairs are susceptible of infinite modifications, and of combinations wholly new and unlooked-for. Very few, for instance, could have imagined that property, which has been taken for natural dominion, should, through the whole of a vast kingdom, lose all its importance, and even its influence. This is what history or books of speculation could hardly have taught us. How many could have thought that the most complete and formidable revolution in a great empire should be made by men of letters, not as subordinate instruments and trumpeters of sedition, but as the chief contrivers and managers, and in a short time as the open administrators and sovereign rulers? Who could have imagined that atheism could produce one of the most violently operative principles of fanaticism? Who could have imagined, that, in a commonwealth in a manner cradled in war, and in an extensive and dreadful war, military commanders should be of little or no account, — that the Convention should not contain one military man of name, — that administrative bodies, in a state of the utmost confusion, and of but a momentary duration, and composed of men with not one imposing part of character, should be able to govern the country and its armies with an authority which the most settled senates and the most respected monarchs scarcely ever had in the same degree? This, for one, I confess I did not foresee, though all the rest was present to me very early, and not out of my apprehension even for several years.

I believe very few were able to enter into the effects of mere *terror*, as a principle not only for the

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support of power in given hands or forms, but in those things in which the soundest political speculators were of opinion that the least appearance of force would be totally destructive,—such is the market, whether of money, provision, or commodities of any kind. Yet for four years we have seen loans made, treasuries supplied, and armies levied and maintained, more numerous than France ever showed in the field, *by the effects of fear alone.*

Here is a state of things of which in its totality if history furnishes any examples at all, they are very remote and feeble. I therefore am not so ready as some are to tax with folly or cowardice those who were not prepared to meet an evil of this nature. Even now, after the events, all the causes may be somewhat difficult to ascertain. Very many are, however, traceable. But these things history and books of speculation (as I have already said) did not teach men to foresee, and of course to resist. Now that they are no longer a matter of sagacity, but of experience, of recent experience, of our own experience, it would be unjustifiable to go back to the records of other times to instruct us to manage what they never enabled us to foresee.

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# APPENDIX.

## EXTRACTS FROM VATTEL'S LAW OF NATIONS.

[The Titles, Marginal Abstracts, and Notes are by Mr. BURKE, excepting such of the Notes as are here distinguished.]

### CASES OF INTERFERENCE WITH INDEPENDENT POWERS.

"IF, then, there is anywhere a nation of a *restless and mischievous* disposition, always ready *to injure others, to traverse their designs, and to raise domestic troubles*,* it is not to be doubted that all have a right to join *in order to repress, chastise, and put it ever after out of its power* to injure them. Such should be the just fruits of the policy which Machiavel praises in Cæsar Borgia. The conduct followed by Philip the Second, King of Spain, *was adapted to unite all Europe against him;* and it was from just reasons that Henry the Great formed the design of humbling a power *formidable by its forces and pernicious by its maxims.*" — Book II. ch. iv. § 53.

"Let us apply to the unjust what we have said above (§ 53) of a mischievous or maleficent nation. If there be any that makes an open profession *of trampling justice under foot, of despising and*

* This is the case of France: — Semonville at Turin, — Jacobin clubs, — Liegeois meeting, — Flemish meeting, — La Fayette's answer, — Clootz's embassy, — Avignon.

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*violating the right of others*,* whenever it finds an opportunity, *the interest of human society will authorize all others to unite in order to humble and chastise it.* We do not here forget the maxim established in our preliminaries, that it does not belong to nations to usurp the power of being judges of each other. In particular cases, liable to the least doubt, it ought to be supposed that each of the parties may have some right; and the injustice of that which has committed the injury may proceed from error, and not from a general contempt of justice. *But if, by constant maxims, and by a continued conduct*, one nation shows that it has evidently this pernicious disposition, and that it considers no right as sacred, the safety of the human race requires that it should be suppressed. To form and support an unjust pretension is to do an injury *not only to him who is interested in this pretension, but to mock at justice in general, and to injure all nations.*" — Ibid. ch. v. § 70.

To succor against tyranny.

"If the prince, attacking the fundamental laws, gives his subjects a legal right to resist him, if tyranny, *becoming insupportable*, obliges the nation to rise in their defence, every foreign power has a right to succor an oppressed people who implore their assistance. The English justly complained of James the Second. *The nobility and the most distinguished patriots* resolved to put a check on his enterprises, which manifestly tended to overthrow the Constitution and to destroy the liberties and the religion of the people, *and therefore applied for assistance to the United Provinces.* The authority of the Prince of

Case of English Revolution.

* The French acknowledge no power not directly emanating from the people.

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Orange had, doubtless, an influence on the deliberations of the States-General; but it did not make them commit injustice: for when a people, from good reasons, take up arms against an oppressor, *justice and generosity require that brave men should be assisted in the defence of their liberties.* Whenever, therefore, a civil war is kindled in a state, foreign powers may assist that party which appears to them to have justice on their side. *He who assists an odious tyrant, he who declares FOR AN UNJUST AND REBELLIOUS PEOPLE, offends against his duty.* When the bands of the political society are broken, or at least suspended between the sovereign and his people, they may then be considered as two distinct powers; and since each is independent of all foreign authority, nobody has a right to judge them. Either may be in the right, and each of those who grant their assistance may believe that he supports a good cause. It follows, then, in virtue of the voluntary law of nations, (see Prelim. § 21,) that the two parties may act as having an equal right, and behave accordingly, till the decision of the affair.

Case of civil war.

An odious tyrant. Rebellious people.

Sovereign and his people, when distinct powers.

"But we ought not to abuse this maxim for authorizing odious proceedings against the tranquillity of states. It is a violation of the law of nations *to persuade those subjects to revolt who actually obey their sovereign, though they complain of his government.*

Not to be pursued to an extreme.

Endeavor to persuade subjects to a revolt.

"The practice of nations is conformable to our maxims. When the German Protestants came to the assistance of the Reformed in France, the court never undertook to treat them otherwise than as common enemies, and according to the laws of war France

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at the same time assisted the Netherlands, which took up arms against Spain, and did not pretend that her troops should be considered upon any other footing than as auxiliaries in a regular war. *But no power avoids complaining of an atrocious injury, if any one attempts by his emissaries to excite his subjects to revolt.*

Attempt to excite subjects to revolt.

Tyrants. "As to those monsters, who, under the title of sovereigns, render themselves the scourges and horror of the human race, — these are savage beasts, from which every brave man may justly purge the earth. All antiquity has praised Hercules for delivering the world from an Antæus, a Busiris, and a Diomedes." — Ibid. ch. iv. § 56.

After stating that nations have no right to interfere in domestic concerns, he proceeds, — "But this rule does not preclude them from espousing the quarrel of a dethroned king, and assisting him, if he appears to have justice on his side. They then declare themselves enemies of the nation which has acknowledged his rival; as, when two *different nations* are at war, they are at liberty to assist that whose quarrel they shall think has the fairest appearance." — Book IV. ch. ii. § 14.

### CASE OF ALLIANCES.

"It is asked if that alliance subsists with the king and the royal family when by some revolution they are deprived of their crown. We have lately remarked, (§ 194,) that a personal alliance expires with the reign of him who contracted it: but that is to be understood of an alliance with the state, limited, as to its duration, to the reign of the contracting king. This of which we are here speaking is of another na-

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ture. For though it binds the state, since it is bound by all the public acts of its sovereign, it is made directly in favor of the king and his family; it would therefore be absurd for it to terminate *at the moment when they have need of it, and at an event against which it was made.* Besides, the king does not lose his quality merely by the loss of his kingdom. *If he is stripped of it unjustly by an usurper, or by rebels, he preserves his rights, in the number of which are his alliances.**

When an alliance to preserve a king takes place.

King does not lose his quality by the loss of his kingdom.

"But who shall judge if the king be dethroned lawfully or by violence? An independent nation acknowledges no judge. If the body of the nation

* By the seventh article of the Treaty of TRIPLE ALLIANCE, between France, England, and Holland, signed at the Hague, in the year 1717, it is stipulated, "that, if the kingdoms, countries, or provinces of any of the allies are disturbed by intestine quarrels, or *by rebellions, on account of the said successions,*" (the Protestant succession to the throne of Great Britain, and the succession to the throne of France, as settled by the Treaty of Utrecht,) "or *under any other pretext whatever*, the ally thus in trouble shall have full right to demand of his allies the succors above mentioned": that is to say, the same succors as in the case of an invasion from any foreign power, — 8,000 foot and 2,000 horse to be furnished by France or England, and 4,000 foot and 1,000 horse by the States-General.

By the fourth article of the Treaty of QUADRUPLE ALLIANCE, between England, France, Holland, and the Emperor of Germany, signed in the year 1718, the contracting powers "promise and oblige themselves that they will and ought to maintain, guaranty, and defend the right of succession in the kingdom of France, according to the tenor of the treaties made at Utrecht the 11th day of April, 1713; . . . and this they shall perform *against all persons whatsoever who may presume to disturb the order of the said succession,* in contradiction to the previous acts and treaties subsequent thereon."

The above treaties have been revived and confirmed by every subsequent treaty of peace between Great Britain and France. — EDIT.

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declares the king deprived of his rights by the abuse he has made of them, and deposes him, it may justly do it *when its grievances are well founded*, and no other power has a right to censure it. The personal ally of this king ought not then to assist him against the nation that has made use of its right in deposing him: if he attempts it, he injures that nation. England declared war against Louis the Fourteenth, in the year 1688, for supporting the interest of James the Second, who was deposed in form by the nation. The same country declared war against him a second time, at the beginning of the present century, because that prince acknowledged the son of the deposed James, under the name of James the Third. In doubtful cases, and *when the body of the nation has not pronounced, or HAS NOT PRONOUNCED FREELY*, a sovereign may naturally support and defend an ally; and it is then that the voluntary law of nations subsists between different states. The party that has driven out the king pretends to have right on its side; this unhappy king and his ally flatter themselves with having the same advantage; and as they have no common judge upon earth, they have no other method to take but to apply to arms to terminate the dispute; they therefore engage in a formal war.

Case wherein aid may be given to a deposed king.

"In short, when the foreign prince has faithfully fulfilled his engagements towards an unfortunate monarch, when he has done in his defence, or to procure his restoration, all he was obliged to perform in virtue of the alliance, if his efforts are ineffectual, the dethroned prince cannot require him to support an endless war in his favor, or expect that he will eternally remain the enemy

Not obliged to pursue his right beyond a certain point.

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of the nation or of the sovereign who has deprived him of the throne. He must think of peace, abandon the ally, and consider him as having himself abandoned his right through necessity. Thus Louis the Fourteenth was obliged to abandon James the Second, and to acknowledge King William, though he had at first treated him as an usurper.

"The same question presents itself in real alliances, and, in general, in all alliances made with the state, and not in particular with a king for the defence of his person. An ally ought, doubtless, to be defended against every invasion, against every foreign violence, *and even against his rebellious subjects: in the same manner a republic ought to be defended against the enterprises of one who attempts to destroy the public liberty.* But it ought to be remembered that an ally of the state or the nation is not its judge. If the nation has deposed its king in form, — if the people of a republic have driven out their magistrates and set themselves at liberty, or acknowledged the authority of an usurper, either expressly or tacitly, — to oppose these domestic regulations, by disputing their justice or validity, would be to interfere in the government of the nation, and to do it an injury. (See § 54, and following, of this Book.) The ally remains the ally of the state, notwithstanding the change that has happened in it. *However, when this change renders the alliance useless, dangerous, or disagreeable, it may renounce it; for it may say, upon a good foundation, that it would not have entered into an alliance with that nation, had it been under the present form of government.*

Case of defence against subjects.

Case where real alliances may be renounced.

"We may say here, what we have said on a per-

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sonal alliance: however just the cause of that king may be who is driven from the throne either by his subjects or by a foreign usurper, his allies are not obliged to support *an eternal war* in his favor. After having made ineffectual efforts to restore him, they must at length give peace to their people, and come to an accommodation with the usurper, and for that purpose treat with him as with a lawful sovereign. Louis the Fourteenth, exhausted by a bloody and unsuccessful war, offered at Gertruydenberg to abandon his grandson, whom he had placed on the throne of Spain; and when affairs had changed their appearance, Charles of Austria, the rival of Philip, saw himself, in his turn, abandoned by his allies. They grew weary of exhausting their states in order to give him the possession of a crown which they believed to be his due, but which, to all appearance, they should never be able to procure for him." — Book II. ch. xii. §§ 196, 197.

Not an eternal war.

DANGEROUS POWER.

All nations may join.

"It is still easier to prove, that, should this formidable power betray any unjust and ambitious dispositions by doing the least injustice to another, every nation may avail themselves of the occasion, and join their forces to those of the party injured, in order to reduce that ambitious power, and disable it from so easily oppressing its neighbors, or keeping them in continual awe and fear. For an injury gives a nation a right to provide for its future safety by taking away from the violator the means of oppression. It is lawful, and even praiseworthy, to assist those who are oppressed, or unjustly attacked." — Book III. ch. iii. § 45.

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## SYSTEM OF EUROPE.

"EUROPE forms a political system, a body where the whole is connected by the relations and different interests of nations inhabiting this part of the world. It is not, as anciently, a confused heap of detached pieces, each of which thought itself very little concerned in the fate of others, and seldom regarded things which did not immediately relate to it. The continual attention of sovereigns to what is on the carpet, the constant residence of ministers, and *the perpetual negotiations, make Europe a kind of a republic, the members of which, though independent, unite, through the ties of common interest, for the maintenance of order and liberty.* Hence arose that famous scheme of the political equilibrium, or balance of power, by which is understood such a disposition of things as no power is able absolutely to predominate or to prescribe laws to others." — Book III. ch. iii. § 47.

Europe a republic to preserve order and liberty.

"Confederacies would be a sure way of preserving the equilibrium, and supporting the liberty of nations, did all princes thoroughly understand their true interests, and regulate all their steps for the good of the state." — Ibid. § 49.

## CONTRIBUTIONS IN THE ENEMY'S COUNTRY.

"INSTEAD of the pillage of the country and defenceless places, a custom has been substituted more humane and more advantageous to the sovereign making war: I mean that of contributions. Whoever carries on *a just war* has a right of making the enemy's*

* Contributions raised by the Duke of Brunswick in France. Compare these with the contributions raised by the French in the Netherlands. — EDIT.

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*country contribute to the support of the army, and towards defraying all the charges of the war.* Thus he obtains a part of what is due to him, and the subjects of the enemy, on submitting to this imposition, are secured from pillage, and the country is preserved. But a general who would not sully his reputation is to moderate his contributions, and proportion them to those on whom they are imposed. An excess in this point is not without the reproach of cruelty and inhumanity: if it shows less ferocity than ravage and destruction, it glares with avarice." — Book III. ch. ix. § 165.

To be moderate.

ASYLUM.

"If an exile or banished man is driven from his country for any crime, it does *not* belong to the nation in which he has taken refuge to punish him for a fault committed in a foreign country. For Nature gives to mankind and to nations the right of punishing only for their defence and safety (§ 169): whence it follows that he can only be punished by those he has offended.

"But this reason shows, that, if the justice of each nation ought in general to be confined to the punishment of crimes committed in its own territories, we ought to except from this rule the villains who, by the quality and habitual frequency of their crimes, violate all public security, and declare themselves the enemies of the human race. Poisoners, assassins, and incendiaries by profession may be exterminated wherever they are seized; for they attack and injure all nations by trampling under foot the foundations of their common safety. Thus pirates are brought to the gibbet by the first into whose hands

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they fall. If the sovereign of the country where crimes of that nature have been committed reclaims the authors of them in order to bring them to punishment, they ought to be restored to him, as to one who is *principally* interested in punishing them in an exemplary manner: and it being proper to convict the guilty, and to try them according to some form of law, this is a *second* [not sole] reason why malefactors are usually delivered up at the desire of the state where their crimes have been committed." — Book I. ch. xix. §§ 232, 233.

"Every nation has a right of refusing to admit a stranger into the country, when he cannot enter it without putting it in evident danger, or without doing it a remarkable prejudice." * — Ibid. § 230.

FOREIGN MINISTERS.

"THE obligation does not go so far as to suffer at all times perpetual ministers, who are desirous of residing with a sovereign, though they have nothing to negotiate. It is natural, indeed, and very agreeable to the sentiments which nations owe to each other, that these resident ministers, *when there is nothing to be feared from their stay*, should be friendly received; but if there be any solid reason against this, what is for the good of the state ought unquestionably to be preferred: and the foreign sovereign cannot take it amiss, if his minister, who has concluded the affairs of his commission, and has no other affairs to negotiate, be desired to depart.† The custom of keeping every-

* The third article of the Treaty of Triple Alliance and the latter part of the fourth article of the Treaty of Quadruple Alliance stipulate, that no kind of refuge or protection shall be given to rebellious subjects of the contracting powers. — EDIT.

† Dismission of M. Chauvelin. — EDIT.



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